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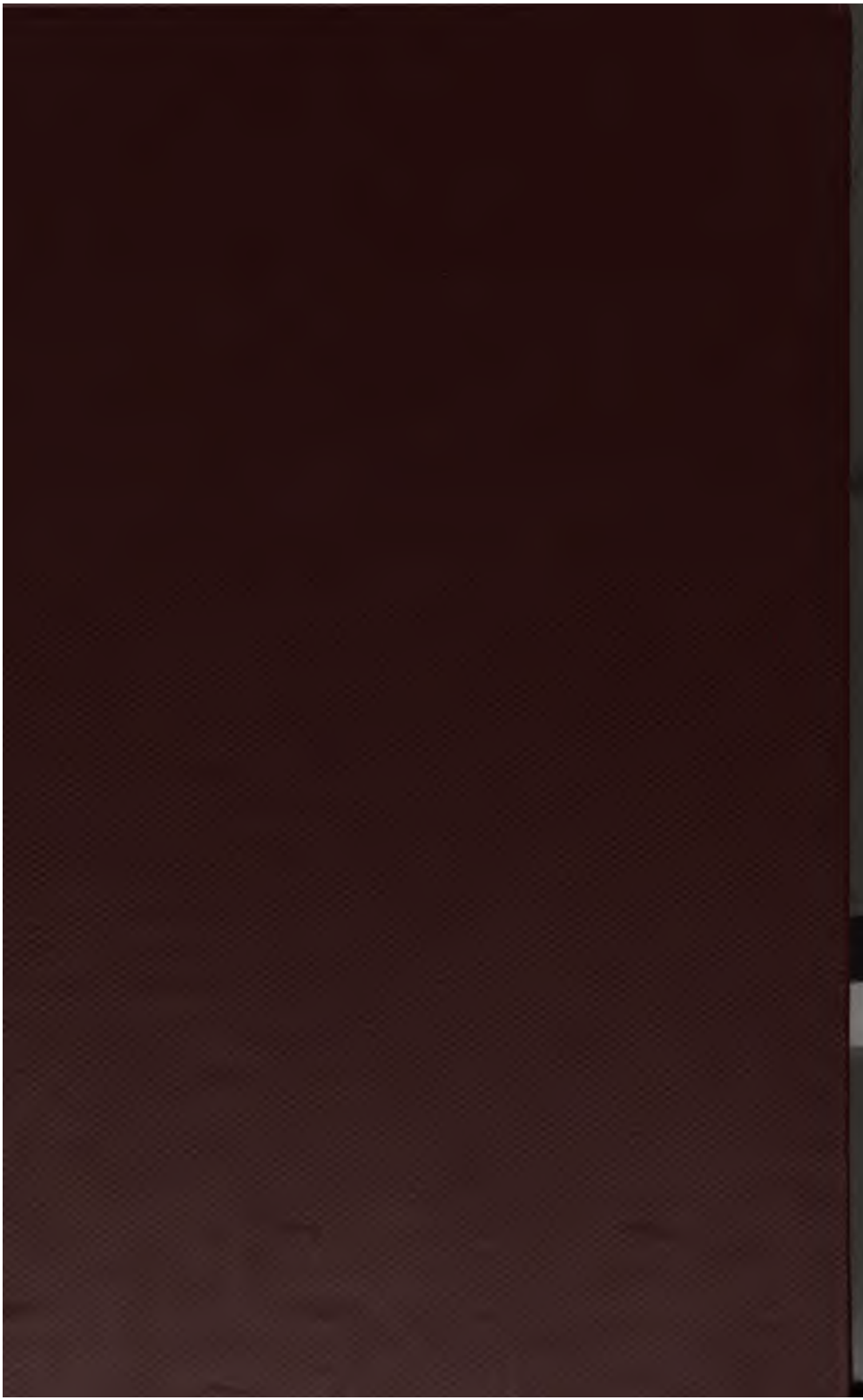

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"What are you going to do about it?" said
WILLIAM M. TWEED.

See Joseph H. Choate's answer, Letter XXIX.

THIRTY YEARS

OF

NEW YORK POLITICS

UP-TO-DATE

WITH ILLUSTRATIONS

BY

MATTHEW P. BREEN

MEMBER OF THE NEW YORK BAR, AND EX-MEMBER OF THE STATE LEGISLATURE

PUBLISHED BY THE AUTHOR

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PREFACE.

This work, although of a political character, is in no sense partisan in its scope, spirit or intention. It is written without fear or favor and without conscious prejudice or passion.

Founded upon the author's personal experience and observation, while officially connected with the Municipal and State Governments and while participating in political movements relating to them, as well as upon public records and other sources of information, it aims at being more than mere annals of the period with which it deals, and, while giving the facts with all possible accuracy, seeks to look beneath the surface of events and discover the motives and designs underlying political actions and conduct. Although not coming under the category of light reading, many humorous episodes are recorded in its pages, all of which have been introduced only with the view of correctly representing New York political life. The letters make a coherent narrative, yet every chapter is complete in itself and may be read with interest, irrespective of what precedes or follows it.

While freely criticising the many abuses of our Municipal Government, I have undertaken in the opening chapters to correct the impression which prevails in some quarters, that they have had their origin in our system of government, and to show that, however great these abuses, our institutions contain within themselves an inherent remedy by which they can be corrected and cured, and that, like the Angels of Milton's Epic, for every wound inflicted they possess a self-healing virtue.

Many foreigners are prone to assume that corruption in the government of New York City, the Metropolis of the Western Hemisphere, necessarily implies kindred corruption throughout the whole fabric, State and Federal.

The assumption, however erroneous, is perhaps natural.

There is no room for doubt that the scandals arising out

of the misrule of New York City, during the last three decades, have brought discredit and obloquy on American institutions. It is illogical and unfair, however, to draw sweeping conclusions from narrow and restricted premises.

In my endeavor to demonstrate that the blame must rest with ourselves until we remove the conditions which we know to be so hurtful, I have aimed at taking the dial, so to speak, from off the political clock and exhibiting the mechanism and its movements within.

Vital facts and conditions, nowhere else collected and classified, are disclosed; and some thoughtful, perhaps partial, readers of portions of the original manuscript, believe that exhibiting these conditions in a collective form ought to arouse a somewhat slumbrous public conscience, by showing how and why the people are themselves to blame for tolerating the insolent rule of Rings and Bosses.

When the attention of the stockholders of any large mercantile or manufacturing enterprise is drawn to positive proof of wrongdoing on the part of their selected manager or agents, they usually are prompt to protect their money, credit and honor, by changing the management and improving the system. Every citizen of Greater New York is a shareholder in this mighty municipal corporation. All of them are taxpayers, directly or indirectly. If their local government is corrupt, inefficient, wasteful or scandalous, the blame is their own.

Towards the cure of any serious ailment in the body politic, as in the human body, a correct diagnosis is an essential step. This book, in striving to point out the nature and location of the disease in our Municipal Government, shows how political "Machines" acquire, solidify and maintain their power and control. Deep, strong and tortuous are the roots of long-established Bossism; but the remedy is always at hand—one too which the people can readily enforce, whenever a righteous anger shall have aroused them from their lethargy and impelled them to act resolutely and steadily, not spasmodically.

M. P. B.

LIST OF PORTRAITS.

WILLIAM M. TWEED.
A. OAKEY HALL.
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GEORGE G. BARNARD.
CHARLES O'CONOR.
PETER B. SWEENY.
NOAH DAVIS.
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RICHARD CROKER.

CHARACTER ILLUSTRATIONS:

JUDGE "DAN" BREEZY.
JUDGE "GUS." HEBERMANN.

CONTENTS.

LETTER I.

Object and Scope of These Letters—Making Clear the Mystery of American Politics—Pen Pictures of Peculiar and Prominent Characters—Secrets of the Inner Circle—Remarkable Change in Foreign Sentiment Concerning the United States—Now Regarded as Something More than an Heiress-Hothouse for Bankrupt European Nobility 1

LETTER II.

How English Prestige in Europe Was Affected by American Independence—The Boasted British Constitution—Fundamental Difference Between It and the Constitution of the United States—How the Latter is Venerated by American Citizens—Unrestrained Authority of the British Parliament—The Blessings and Dangers of Liberty 10

LETTER III.

Mysteries of Municipal Affairs—Far Reaching "Pulls" of a Hidden Power—A Subservient and Corrupt Judiciary—How Judges were Seduced from the Paths of Rectitude—Apparent Invincibility of the Boss and his Adherents—His Grasping Propensities—New Phase of an Old Evil—The Peril Which Confronts Our Citizens To-day 20

LETTER IV.

How Absolute Power of the Ring Was Acquired—Origin of the Tammany Society—Its Importance in the

Early Days of the Republic—Its Seizure by Tweed and His Associates to Promote Their Supremacy—The Source and Explanation of One-Man Power in the Democratic Organization—The Primary Election Farce—Wheels Within Wheels—Political Patronage and the Uses Made of It..... 30

LETTER V.

How a Boss Was Built Up—The Time and "Sacrifices" Required—Tweed's Early Youth and Pig-Tail Experiences—Stepping-Stone to His Twenty Years of Official Life—An Instance of His Kindness of Heart and Great Generosity—His Tact as a Politician—Shrewdness Displayed by Him in Selecting and Placing His Adjutants—Why He Desired to Secure Control of the Governorship—His Efforts to Rout Albany Marauders—Ambitious Plans He Had Mapped Out..... 45

LETTER VI.

Extending New York Tactics to the Suburbs—How Greek Met Greek at Highbridgeville—Proposed Attempt of Ruffians to Raid a Primary Meeting Checked by a Loaded Cannon—Colonel Mooney's Victory and How He Became Master of the Situation—A Square Deal That Was Not Intended—How the Colonel Beat the "Machine" at Its Own Game. 59

LETTER VII.

The Old Volunteer Fire Department and Its Fascination—How it Differed from the Present Fire System—Good Conduct of the "Old Boys" when Disbanded—How They Used to "Amuse" Themselves After a Fire—A Melée in Which Senator "Dave" Broderick Lost His Fire Cap—Harry Howard's Love Romance, and How He Made Mayor Fernando Wood Act "Square" For Once—The Relic of the Volunteer Department in Mount Morris Park..... 68

LETTER VIII.

Distinguished Lobbyists at Albany—Originator in this State of the Third House—Skilled Diplomats and their Successful Manœuvres—A Coup d'Etat in the State Senate—Adroitness of a Member in Turning a Sharp Corner—Important Bridge Contest Between Albany and Troy—How a Cute Lobbyist on a Losing Side Turned Up a Winner—Apparently Trivial Incident that Changed the Course of an Important Measure 83

LETTER IX.

Pluck Displayed By Tweed in His Early Political Career —How He Combated the Omnibus Monopoly—What it Cost Thirteen Aldermen to Disregard an Injunction—Thirty Years of Incessant Struggle for a Broadway Railroad—Sad Fate of the Original Projector—Public Clamor and Its Victims—How a Washington Boss Was Hounded Almost to Death; Then Applauded as a Hero and an Ovation Extended to Him. 95

LETTER X.

Attempt to Enforce Obsolete Blue Laws in the Metropolis—The Boomerang Effects of an Arbitrary Excise Enactment—Indignant Response of the Metropolis to Sectional Legislation—Partisan Method of Interpreting a Sumptuary Law—Why Liquor Saloons Became Political Centres—When a Presidential Election Was Lost Through the Sabbatarian Efforts of a New Jersey Parson, Who Was Henry Clay's "Burchard"—How a Sunday "Blue Law" Saved the Staten Island Ferry Company from Consequential Damages..... 107

LETTER XI.

Boss Tweed's Appearance as Senator at the State Capital —His Ambition Goes Marching on—Feeble Attempt

to Check His Progress—He Elects the Speaker, "Fixes" the Committees, and Settles Down to Business—An Unexpected "Fire in the Rear"—Mayor Hoffman Confronted with a Realizing Sense of His Position—The Old Tax Levies and the Art and Science of Legislative Legerdemain—Horace Greeley's Scathing Denunciation of Tweed and the Tammany Leeches..... 119

LETTER XII.

Memorable Erie Railroad Contest—Judiciary of the Metropolis Used as Bulls and Bears—Action of an Erie Stock-Holder Against Judge Barnard and Commodore Vanderbilt for Joint Conspiracy—Millions Expended in Litigation and Legislative Lubrication to Save Millions Filched from the People—The "Black Horse Cavalry" on the Rampage—Eagerness of an Unsophisticated Legislator to be Corrupted—Sudden Collapse of High Expectations—How Tweed Managed to be on Both Sides in Two Big Fights—Litigation Which Ended in Murder—The Body Found Floating in the North River..... 132

LETTER XIII.

Surroundings of a Local Political Boss—Keen Business Shrewdness of a New York Alderman—His Onerous Unofficial Duties—Daily Attendance at Police Courts, Wakes and Funerals—How He Managed to "Run" an Undertaker, and Fixed Obsequies to Suit His Personal Convenience—A Bar-room Bouncer and the Peculiarities of His Occupation..... 147

LETTER XIV.

Diamond Days of the Ring—When the Professional Politician Was in His Glory—A Perpetual Smile and a Prodigious Gem His Stock in Trade—How Favorites of the Ring Who Had Never Read a Law

Book Became Lawyers—When Judge Barnard Had "Some Fun With the Boys"—Preliminaries to a Local Convention—Preposterous Attempt of an Unslated Nominee to Question a Local Boss about a Primary 154

LETTER XV.

Reconstruction, Impeachment and Amnesty—Desperate Attempt of Ambitious Political Leaders to Unseat a President—Their Defeat after a Long and Persistent Struggle—Proclamation Which Made Fourth of July a Reunion Jubilee—Democratic National Convention at Tammany Hall—How Horatio Seymour Was Nominated for the Presidency—Why We Vote for Electors Instead of Voting Direct for President and Vice-President—Advantages of the Electoral System 162

LETTER XVI.

Bribery Which Was Not Bribery—Investigating Committees Hard to Convince—Two Peculiar Cases—Rumpus Over the Interpretation of a Simple Word—More Secrets of Legislation—Practical Illustrations of the Use of the Lobby—The "Contingent" Method of Passing a Bill—An Instance in Which Aldermen Were not "Treated Right." 177

LETTER XVII.

Shaping a State Convention for Popular Success—Political Sagacity Outgenerals Vengeful Jealousy—Democracy's Great Triumph in the Empire State—Plotters for Dissension Sowing Seeds of Discord in the Metropolis—Wire Pullers of the Young Democracy Revolt—Extraordinary Charter Contest in the Legislature—Combination Against and Attempted Deposition of Tweed—Complete Rout of his Adversaries—Philanthropist and Gambler Bargain Over Devilled Crabs 187

LETTER XVIII.

Make-Up of a Judicial Convention—Its Subservient and Crawling Creatures—The Shabby-Genteel "Bum"—Vain Efforts at Recognition by a "Had-Been"—Delay Which Aroused Apprehension of a Hitch—Preliminary Speech by an Embryo Citizen—Entrance of the "Honored Leader" of the District—The Machine Set in Motion—How a Judge was Nominated—Acclaim with Which "the People's Choice" was Received—Fervid Enthusiasm and a Grand Rush to the Bar..... 205

LETTER XIX.

"Tweed and His Generals"—Last Effort of a Persistent Place Hunter to "Taffy" the Boss—Scheme to Enable Political Aspirants to Get Near the Head Centre—Proposed Statue to Tweed—Why It was not Erected—When Peter B. Sweeny Thought His Friend Tweed had Gone Crazy—Lark of Oriental Club Men—Boss's "Private Business" Door at the Delavan House..... 219

LETTER XX.

Characteristics of a Successful Politician—Generosity Indispensable to Popularity—Fate of a Mean Man Who Sought Public Office—"Business End" of a Nominating Convention—"Dan" Breezy in a Nest of "Strikers"—The "Bleeding" Process Practically Illustrated—How Campaign Clubs Were Started—The Big Show Five Men Made—Audacious Cheek of a Target-Shooting Striker—An Impecunious Candidate of Military Fame in a Tight Place—Trouble He Had to Save a Table..... 229

LETTER XXI.

"Dan" Breezy's Skilful Management of His Whirlwind Canvass—An Acknowledged "Corker" as a Candidate—Vindicating His Judicial Dignity to a Torch-

Light Procession—Overpowering Applause Rattles His Prepared Speech—Mike Hickey gives the Cue to the Judge-Elect—But even Ten-Cent Whiskey Fails to Mitigate His Dismal Oratorical Failure 242

LETTER XXII.

How the Joke of a Wag Adjourned a Session of the Board of Aldermen—Description of an East Side Saloon—Its Equipment for Rapid Drinking—How it Differed from a Lager Beer Place of Refreshment—Noticeable Indifference of Germans to Local Politics—The Shiny Hat Brigade and the Duties it had to Perform 249

LETTER XXIII.

Awakening of the German Element to Its Power and Importance—Its Political Activity Excites Alarm in the Irish Element—Concessions Made in the Shape of Nominations—First Teuton Officeholders not a Success—What Brought Down a Pompous Oratorical Alderman—An Appointee Who Thought He had to do Some Work—His Persistency Ended by "Cutting His Wind." 258

LETTER XXIV.

"Irrepressible Conflict" Between Two Races—Too Much Official Recognition of St. Patrick's Day Breeds Trouble—Mayor Hall Reviews a Parade in the Regalia of an Irish Prince—Anger of the German Press and Indignation of German Clubs—Political Avalanche Which Made a Baker State Senator in Spite of Himself 267

LETTER XXV.

Exciting Legislative Episode Showing the Disadvantage of Too Small a Majority—How an Ill-Tempered Bully Disorganized Legislative Business—A Blow

Which Dissipated Democratic Supremacy and Produced Chaos—Resolve of the Republicans to "Boss the Ranch or Block the Game"—How the Gordian Knot was Cut—Ruin Which Followed the Man Who Cut It 278

LETTER XXVI.

A Civil Justice in the Halcyon Days of the Ring—The Give-and-Take System of Political Advancement—Success of Cheek and Log-Rolling—How a Sample Civil Justice Opened His Court—Enthusiastic Admirers Profoundly Affected by His Inaugural Speech—Cunning Attempts to Make Political Capital—Deciding a Question of Law by Knock-Down Argument—Futile Effort to Crush a Young Advocate—The Judge on the Bench Offers to Bet on a Sure Thing 292

LETTER XXVII.

Three Very Remarkable Men—Mike Walsh, Capt. Isaiah Rynders and Count Joannes—The Spartan Band and The Empire Club—Mike's Election Squabble with John Kelly—His Arrest for Criminal Libel—How He Offended His Friend Broderick by Not Committing Suicide—Capt. Rynders' Democratic Speech on Horseback to a Defeated Whig Nominee—His Goodness of Heart and Kindly Act to Isaac V. Fowler, New York's Democratic Postmaster, When in Trouble—Count Joannes, a Man of Trials—Always in Hot Water 302

LETTER XXVIII.

Rumblings Preceding the Storm—Beginning of Popular Distrust—Concealment of Financial Conditions—Hidden Provision of the Tax Levy which Gave New Life to the Ring—Corrupt Practices of the Judiciary Denounced by a Fearless Lawyer—What Led to the

Formation of the Bar Association—How a Willing Governor Pulled Tweed's Chestnuts Out of the Fire —The Ring Bracing Itself Against Adverse Criticisms and Entrenching Itself Behind Atrocious Legislative Enactments 316

LETTER XXIX.

Chiefs of the Tribe of Tammany in Their Glory—Mutual Congratulations on Auspicious Conditions—But a Powerful Newspaper Begins to "Say Things"—A Presentation of Figures which Startles the Community—Choate's Javelin of Justice—How He Answered Tweed's Inquiry of "What are You Going to Do About It?"—Resolutions that Meant Business and Worked Wonders 333

LETTER XXX.

Marriage of Tweed's Daughter—A Seven Hundred Thousand Dollar Wedding—James Gordon Bennett's Comment on It—Opening of the New Americus Club Building—Tweed's Gala Day While on the Brink of a Volcano—Magnificence of the Tiger's Lair at Greenwich, Conn.—Practical Jokers of the Club—Rowing Race Between John Fox and "Jake" Somerindyke—Simplicity of John Kelly Contrasted with the Surroundings of His Successor 341

LETTER XXXI.

How the Ring Humbugged the Proud American Citizen —A Great Moral Convulsion in the Air—Serious Talk at a Secret Conclave—Suggestion of a New York Vigilance Committee—Experimental Appeal to a Corrupt Judge First to be Tried—His Unexpected Granting of a Sweeping Injunction—Unsuccessful Effort to Make a Jonah of "Slippery Dick" —Zig-Zag Fight and Mayor Hall's Topsy Turviness —Business Men's Rally to Oust the Municipal Thieves 351

LETTER XXXII.

Comptroller Connolly's Millionaire Whitewashers—The "Orange Riot," Its Cause and Serious Result—"The Wonderful House that Tweed Built"—When Tammany Hall Was Closed Tight on an Election Night—Fragments of the "Unterrified" Trying to Brace Each Other Up—Dying Throes of a Remnant of the Tweed Régime—Aldermanic Attempt to Impeach the Mayor—How the Would-be "Hold-Overs" Were Outgeneralled by Judge Abraham R. Lawrence—Evolution of a New Tammany Boss..... 368

LETTER XXXIII.

When Judge George G. Barnard was Triumphantly "Vindicated," According to Order—His Eccentricity and Reckless Humor on the Bench—A Picturesque Judicial Brigand—The Bar Association Pursues Him—Close Vote of the Assembly Committee on the Charges Presented—Finding of the Court of Impeachment—Stripped of Judicial Honors and Forever Disqualified from Holding Office—Fateful End of Judge John H. McCunn—An Unscrupulous Money-Getter Who Fell a Victim to Prosperity.... 385

LETTER XXXIV.

Solving a Political Enigma—How and Why Democrats Supported a Republican for President—Popular Disgust at Radical Recklessness and Despotism—Well-Designed but Unsuccessful Coalition for Peace and Prosperity—Attempt to Expel Greeley from the Union League Club—The Chappaqua Philosopher on His Farm—His Goodness of Heart and Rural Simplicity—Interviewed by the Female Suffragists—Characteristic Anecdotes..... 407

LETTER XXXV.

First Trial of Tweed—Notable Bar Engaged in the Case—What Made the Defendant so Confident of Acquittal

—Ordeal Through Which the Jury Had to Pass—Testimony of Two Star Witnesses—Garvey in Much Plaster and Tilden in a Tangle—How Counsel Grid-ironed the Statesman—Disappointment of the Judge at the Jury's Disagreement—Tweed's Caustic Comment on the Situation 421

LETTER XXXVI.

Running the Gauntlet a Second Time Before the Same Judge—Unsuccessful Attempt of Tweed's Counsel to Change the Situation—Extraordinary Legal Document—Unmistakable Annoyance Betrayed by the Judge—Sharp Retorts of Counsel and Court—Tactics of the Prosecution a Surprise—Jury Agree on a Verdict—"Guilty!" said the Foreman 443

LETTER XXXVII.

Three Days of Intense Anxiety—Tweed's Desperate Efforts to Obtain a Stay of Proceedings—Unabated Confidence of His Enthusiastic Friends—A Strikingly Dramatic Scene in Court—An Awful Surprise—Appeal for Mercy to an Implacable Judge—Audience Awe-struck at the Severity of the Sentence—Tweed Fined and Sent to the Penitentiary for Twelve Years 457

LETTER XXXVIII.

Unique Legal Proceedings of Surpassing Interest—Tweed's Counsel Summoned to the Bar for Contempt—Their Protest in Behalf of Their Client Sternly Rebuked—Judicial Dignity Vindicated by an Upright Judge—Three Leading Lawyers Fined Two Hundred and Fifty Dollars Each—The Real Culprits Exonerated and Complimented 472

LETTER XXXIX.

An Unpleasant Recollection for the Present Boss—Erratic and Reckless Career of James Fisk, Jr.—His Daring

Enterprises—The Gold Conspiracy and Memorable Black Friday—Fisk's Jealousy of and Quarrel with Edward S. Stokes—The Woman in the Case—Fatal Meeting of the Rivals and the Shooting of Fisk—Pathetic Ending of Lawyer Lane, Another Victim of the "Erie Clique,"..... 488

LETTER XL.

Escape of "Prince Hal"—His Duplicity and Base Ingratitude to a Benefactor—Mysterious Gathering at Genet's House—His Abduction Prearranged, Even if Assassination Were Necessary—Imprisonment of Sheriff Brennan and His Deputy, and Death of the Former—Tweed's Conduct Under Arrest Compared with Genet's—Story of the Man Who Had Charge of Both Prisoners..... 502

LETTER XLI.

Exciting Old-Time Primary in the Sixth Ward—Voters in Line During an Entire Night and Day—"Big Judge" Michael Connolly and Police Justice "Joe" Dowling Exchange Backhanded Compliments—How a Ward Politician Tested His Influence—Getting "Ten Days" for a Presumption of Intimacy with "Joe" Dowling—Daring Encounters and Hairbreadth Escapes of the Sixth Ward Judge..... 516

LETTER XLII.

Eventful Career of John Morrissey—Evolution of a Prize Fighter—Family Quarrels Which Ended in the Roped Arena—Morrissey Emerges from His Surroundings, Turns Up a Congressman and Becomes a Power in New York Politics—Ceremoniously Visits New York's Mayor in a Swallow-Tail Coat—His Fearlessness and Audacity in a Political Canvass—How His First Speech in the Legislature was Delivered—Defeated the Boss in His Own District—A Triumph Which Soon Ended in His Death—Pathetic and Touching Ceremonies in the State Legislature..... 525

LETTER XLIII.

Six-Million Civil Suit against Tweed—Critical Condition of the People's Legal Champion—Charles O'Conor's Reported Death Causes Courts to Adjourn—The Civil Suit Progresses and its Satisfactory Condition Elates Both Tweed and His Counsel—But O'Conor's Unexpected Appearance from His Sick Chamber Causes Consternation—His Ghost-Like Aspect in Court—Counsel for the Defence Astounded—Greeted by Peckham and Carter, his Associates—O'Conor's Extraordinary Demand and Success—Tweed Foresees his Doom, and Makes Preparation for Flight—A Suggestion for Members of the New York Bar.... 543

LETTER XLIV.

Tweed Faces His Twelve Years' Sentence in the Penitentiary—His Strange Hold on the Affections of the Masses—The Court of Appeals Comes to his Relief—Release Followed by Re-Arrest— Tweed's Escape While in Charge of Sheriff's Officers—Hides in the Palisades, Disguised as a Woodchopper—His Flight, Capture and Return to Ludlow Street Jail—Pathetic Appeal to his Prosecutors—His Last Desperate Effort to Secure Freedom—Offers to Surrender and Tell Everything—All Hope Gone, he Dies Broken-Hearted, and is Buried in Greenwood Cemetery.... 553

LETTER XLV.

How William M. Evarts Kept His Word—A Reminiscence of the Civil War—Graphic Description of the Attack of the Ram Merrimac on the Union Ship Cumberland—Making Good a Promise of Seventeen Years' Standing—A Characteristic Letter to Postmaster James—Favor which the Republican Secretary of State Extended to an Humble Democrat.... 571

LETTER XLVI.

Bitter Contest Between Boss Kelly and Boss Tilden—Marvellous Success of the Latter as a Political Manipulator—How he Paved his Way to a Presidential Nomination—Attaining the Pinnacle of a Life's Ambition only to be Cheated at Last—A Vengeful "War to the Knife" on Governor Lucius Robinson—The Tammany Bolt and Its Disastrous Results—Amusing Incident at a State Convention—How a Gubernatorial Boom was Burst 575

LETTER XLVII.

Sequel to the Tammany Bolt—Kelly Runs a State Convention All His Own—New York Gladiatorial Fight Transferred to a Cincinnati Arena—Tilden's Victory Over Kelly and Kelly's Triumph Over Tilden—Both Disturbers Hors de Combat and Everybody Happy—Republican National Convention and Boss Conkling—Solidity of the Stalwart Forces—Turning Defeat into General Victory—A "Knock Out" Which Brings the Winner (Garfield) to the Feet of Grant's Champion 591

LETTER XLVIII.

Reminiscence of an Important Political Event—Slavery and Politics in Ante-Bellum Times—Vindictiveness of a Presidential Boss—Plucky Fight for Popular Sovereignty—Fate of Senators Stephen A. Douglas and David C. Broderick—Concentrated Effort of an Administration to Crush John B. Haskin—Triumph of Free Speech Over Partisanism—The Wrongs of Daniel E. Sickles and How he Avenged Them 608

LETTER XLIX.

Boss Kelly in Troubled Waters—Indignation Local and General Heaped Upon Him—Sectarian Fight Against William R. Grace in a Mayoralty Contest—Kelly's Motives Severely Criticised—How Mayor Cooper Un-

tied an Aldermanic Deadlock—A Beheaded Boss's Vindictive Speech—Threatened Revolt in Tammany Against One-Man Power—How the First Mayor of Greater New York, Robert A. Van Wyck, Almost Ruptured Tammany Hall..... 619

LETTER L.

Intrigue Which Led to the Nomination of a Mayor—Coalition Between Victorious Irving Hall and Much-Subdued Tammany—Memorable Deal at Westminster Hotel—A Hat as a Substitute for a Nominating Convention—How the Boss Outflanked the Irving Hall "Statesmen"—Popular Disapprobation of Political Huckstering—Narrow Escape from Defeat of United Democracy Nominees—An Indication of What Independent Democrats Can Do in a Municipal Contest..... 632

LETTER LI.

Crisis in the Career of a Republican Boss—Roscoe Conkling's Jealousy of James G. Blaine and His Fight Against President Garfield—Unexampled Quarrel Over Political Patronage—Conkling's Manœuvres to Boss an Administration—The President's Determination to "Sit Down Upon" a Would-be Dictator—Conkling's Appeal for Vindication a Dismal Failure—Assassination of President Garfield—Culmination of Violent Political Excitement—Vice-President Arthur Takes the Oath of Office as Garfield's Successor..... 647

LETTER LII.

Severe Comment on John Kelly's Early Career—Attempt of Dissatisfied Democrats to Capture the Tammany Society—Those Who Figured as "Malcontents"—The Committee of One-Hundred Movement—Suc-

cessful Formation of a New and Vigorous Democratic Organization—Its Début at a State Convention—Tammany Delegates Again Out in the Cold—Triumph of the New York County Democracy..... 663

LETTER LIII.

Insecurity of a Sure Thing in Politics — Three Cooks Who Spoiled the Broth—How Grover Cleveland Came to the Front as a Gubernatorial Candidate—President Arthur and Roscoe Conkling Unconsciously Play Into His Hand—Republican Revolt Against Presidential Bossism—Mayor Grace and Some of His Peculiarities—Alleged Misrepresentations to Jay Gould, and What They Cost Him..... 676

LETTER LIV.

"Tammany Without a Boss" as a Subterfuge for Making a Boss of a Mayor—Cunning Scheme Which Did Not Work—How Arrogance Came Near Wrecking Cleveland's Presidential Aspirations—Exceedingly Close Political Contest of 1884—Conspiracy to Steal New York's Electoral Vote — Reluctance of Blaine's Friends to Give Up the Fight—Conkling, Blaine and Beecher—Deaths of Arthur, Kelly and Thompson—All Victims of Grief and Disappointment 687

LETTER LV.

Fickleness of Popular Favor—President Cleveland Applauded and Commended, but Defeated in His Own State—Singular Apathy at the Nominating Convention—Politicians Unwillingly Submit to Uncontrollable Conditions, but Handicap the Nominee with an Unpopular Platform—Strife of Governor Hill's Friends to Make Him a Presidential Nominee in 1892—How they Marred His Chances by a "Snap" Convention—Cleveland Nominated a Third Time for the Presidency—The National Contest of 1896... 708

LETTER LVI.

Origin of the Borough of The Bronx—A Region Always Antagonistic to Boss Rule—Unsuccessful Opposition of Kelly and Arthur to Annexation of the Westchester Towns—Using Gov. John A. Dix as a Catspaw—How the Bosses Avenged Defeat by Holding the Acquired Territory in Subjugation—Neglect in All Things Except Collecting Taxes—Revolt of a Long-Suffering Community—Determined Appeal to the State for Relief—A Legislative Investigation Which Benefited the People—Triumph of the People's Bill—Desperate Effort of the Bosses to Nullify the Action of the Legislature—Governor Hill Approves the Act of Emancipation From Misrule 721

LETTER LVII.

The Exciting Contest Following the Passage of the People's Bill—Tammany's Boss Confident of Winning the Prize at the Polls—Organization of the Citizens' Local Improvement Party—Purroy Startled by the Nomination of Louis J. Heintz—A Campaign of Abuse and Vilification—Tammany's Caricature and the People's Lampoon—Champion of Anti-Bossism Triumphantly Elected—Cunning Attempt to Lure Him into the Wigwam—Programme to Legislate Him Out of Office—Boss McLaughlin Foils the Scheme—But the Successful Champion of Popular Rights Does Not Long Survive His Victory 742

LETTER LVIII.

How Richard Croker Became Boss—A Man of Nerve and Cunning—Herculean Efforts of a Few Brainy Men to Upbuild Tammany's Shattered Fortunes

After Kelly's Death—Croker Steals the Credit—Saturnalia of County Democracy Leaders—The Irish Flag Antics of Mayor Hewitt—Tammany's Victory—Croker Controls the New Mayor, Assumes Command and Clips the Wings of Rivals—An Expert Witness Before Investigating Committees—Perhaps the Highest Living Authority as to What is "Private Business"—Croker's Surprising Spring from Indigence to Affluence—Now Declares his Intention to Run Judges as Well as Race Horses—His "Greatest Political Show on Earth"—But he Promotes Only Old "Wheel-Horses", Keeps Out "Royal Bengal Tigers," Controls the Box Office, Pockets the Gate Money, and "It's Dead Easy for him to Keep on Top in the Game"—But There's Trouble Ahead.... 755

LETTER LIX.

Editor Stead's Dastardly Attempt to Re-construct Croker—Aristotle Eclipsed by the Boss Philosopher—The English Editor Laughs and No One Here Blames Him—Croker Elucidates Carlyle and Puffs Himself—Unable to Recall One Wrong Act in His Whole Life, "No, Not Even One"—The Mazet Committee Comes to the Rescue and Makes Croker Talk as We Know Him—What the Boss Ought to Do With the English Editor..... 778

LETTER LX.

Gossipy Talk with Alderman Curly—Graphic Description of Boss Croker's Early Career—His Start in Politics—A Protegé of ex-Sheriff O'Brien—Fatal Brawl in a Memorable Election Contest—The Alderman Laughs Over the Joke on Larry Doolen, and Gives His Ideas of Why the Boss Finds it Ad-

vantageous to Go Abroad—Kills Two Birds with One Stone and Turns His Shrewd Foresight to Political Advantage—The Melancholy Story of Judge Ledwith—His Treachery to His Followers Recoils Upon Himself—How it Advantaged Judge Barrett and the Good Turn Boss Croker Did the Latter..... 784

LETTER LXI.

A Political Iago and His Treachery—Ties of Friendship Between Two Honorable Men Severed by a Moral Assassin—Hatching a Nefarious Plot While Enjoying the Hospitalities of His Victim—The Outcome of a Yachting Excursion—When Joseph J. O'Desdemona Was Slated for Mayor, and How Iago Turned John Othello Against Him—Secret Meeting of the Plotters—Iago's Uproarious Laughter as He Gloats over the Details of His Shameless Infamy..... 796

LETTER LXII.

Boss Croker's Audacious Admissions Before the Mazet Committee Dissected—Earnest Discussion by Four Well-known Club Men—A Conclave More Practical and Perhaps More Potential than an "Investigating Committee"—The Judiciary of New York City Humiliated and Degraded Before the World by Croker's Statement—Smothered Indignation of Bench and Bar at his Insolence—Tweed Modest Compared with Him—What New York Judges Should Do—Ex-Governor Hill's Personal Integrity Amidst Great Opportunities and Great Temptations—Vicissitudes of Rapid Transit—A Public Necessity Made a Political Shuttlecock—An Opinion Which Was no Opinion, but Which Cost Millions—Lucid Explanation of its Far-Reaching Injury..... 804

LETTER LXIII.

Trickery and Chicanery of Machine Politics—Ostensible Foes Combine for Sinister Purposes—Revelation of an Ingenious Device to Undo a Candidate for Mayor —Cunning Scheme to Gain Press Favor—Influence of Corporate Monopolies on Mayoralty Nominations —How Boss Platt was Hoodwinked—The Job that Was "Put Up" on Seth Low—A "Destroying Angel" Comes to the Front—Phenomenal Canvass Against the Combined Machines—Object Lesson for Independent Voters..... 825

LETTER LXIV.

Curious Fluctuations in the Fortunes of Bossism—Its Brief Defeats and Rapid Revivals—Responsibility for its Present Audacity—Culpable Neglect of Duty by Wealthy and Intelligent Citizens—How to Get Rid of Political Wolves—Earnest and Sustained Effort the Price of Good Government..... 837

THIRTY YEARS OF NEW YORK POLITICS

UP TO DATE.

LETTER I.

OBJECT AND SCOPE OF THESE LETTERS—MAKING CLEAR THE MYSTERY OF AMERICAN POLITICS—PEN PICTURES OF PECULIAR AND PROMINENT CHARACTERS—SECRETS OF THE INNER CIRCLE—REMARKABLE CHANGE IN FOREIGN SENTIMENT CONCERNING THE UNITED STATES—NOW REGARDED AS SOMETHING MORE THAN AN HEIRESS-HOTHOUSE FOR BANKRUPT EUROPEAN NOBILITY.

MY DEAR DEAN:

Returned once more to the turmoil of New York life, I look back with exceeding pleasure to the short period of academic quiet I enjoyed last summer at your home in England; to the conversations and discussions on international and other topics, which, sometimes, carried us far into the night; to the pleasant interchange of thought, and to the hardly less pleasant differences of opinion, which had no worse effect than to give fresh stimulus to our intellectual enjoyment. Nor, while I remember these things with a pleasure all the more keen on account of the contrast they offer to the prosaic character of my ordinary life, do I forget that you did me the compliment of congratulating me on the opportunities I had had of witnessing, in its most active centre, the struggles and progress of our great, but still youthful country, and of suggesting that, as my experience of it had extended over many years, I should write my reminiscences of American men and affairs, as a subject which you yourself would enjoy and others would equally appreciate.

Having access here at home to records and data which

were not obtainable on your side of the Atlantic, I accordingly now undertake the task, trusting that you will accept my efforts in the same spirit in which our friendly discussions were carried on while I had the honor of enjoying your hospitality.

These letters of mine will reveal many things which, if they do not always attain the dignity of State Secrets, will yet possess a vital interest by reason of the light they will shed on the evolution of popular government among us in the foremost commercial and social centre of the New World. Comedy will jostle tragedy in the narrative. Indeed, of the comedy there is an embarrassing abundance; but the portions admitted to these pages will be chosen, not merely for their piquancy and novelty, but for the express and exclusive purpose of pointing a moral or illustrating a condition.

Many things I shall have to write which will not be complimentary to men now dead or to men still living. If in these disclosures the truth at times has a bitter flavor, the blame rests, not with me, but with those whose misdeeds merit exposure and reprobation because they have brought and still bring odium upon our institutions. My candor in this regard will satisfy you that I am no apologist for abuses, am not blind to the vices which accompany the tense and rapid development of even the highest human ideals.

The friendly and intelligent interest you manifested in all that related to the United States proved to me that popular government had achieved its proper position in the world, and was no longer (as it had often been described) an experiment, but a success. It showed that, after a century of trial, the Republic had outlived the shadow of that night of misrepresentation and calumny which, at one time, seemed almost to threaten its very existence.

But our American Commonwealth has long since emerged

far beyond the sphere and influence of such attacks. When you now visit its shores you behold the wondrous achievements it has wrought in every field of enterprise, and you marvel how, within so brief a period, it could have risen to a height of power and opulence, which it has taken centuries for other nations to even imperfectly attain.

Paradoxical as it may appear, our danger lay, not in our weakness but in our prosperity and strength; for, had we been less exposed to envy, we might have been more secure in our supposed insignificance. Perhaps the danger is not yet past, but we need fear nothing from any open or outside foe, although in our progress and power we may have to guard against pretended friends; and, while we are endowed with Samson's strength, we must not forget that there are Delilahs among nations no less than among women.

I have had an experience of New York, socially and politically, for over thirty years, and, while proposing to record some of my more prominent political recollections, I may, from time to time, touch upon the social aspects of the hour, but only so far as they have been affected by political operations and intrigues. All departments of life—social, political and religious—are necessarily more or less connected, acting and re-acting upon each other; and of no place is this more true than of New York.

Notwithstanding the principle that every man should mind his own business, (a principle more generally observed here than in most places), the influence of politics has found its way everywhere—into the lawyer's office and the store, as well as into the bar-room and the boarding-house, and has even dared to ascend the consecrated steps of the altar and the pulpit. But, then, politics are naturally regarded in this democratic community as a part of every man's business, no matter what his special pursuit; a subject, in fact, on which he is not only permitted to think for himself,

but is called upon to do so as a public duty. This is the theory, however little it may be carried out in practice in some of our municipal communities; but every citizen, whether in New York or elsewhere, fancies he does think for himself on political matters, and would be likely to resent it, as a reflection upon his independence, did you venture to hint that he had submissively received his opinions from any outside source.

New York is not a very ancient city, but in the two hundred and odd years of its existence it has left no social or political problem untouched, although one cannot by any means say, as did Dr. Johnson of the varied exercises of Goldsmith's pen, that it has "touched nothing which it did not adorn." Of no other city in the world, however, might more complimentary things be said, not only as a commercial factor, but as an agent in social and scientific progress. In public and private benevolence it is not surpassed, and in heroism of enterprise and liberality of thought it stands supreme even among American cities.

The sums expended annually in charity, and often in the quiet and unostentatious way in which the "left hand knoweth not what the right hand doeth," are incalculable. Nor do the benefactors wait until wretchedness rises to the surface and exposes its shivering and humiliated figure to the world. Their benevolence searches far, and penetrates the sordid haunts of poverty and sin, comforting the one, counselling the other, and relieving both.

From the hysterical charges occasionally made against New York by some emotional moralists, one might think the City was a seething cauldron of iniquity from end to end, with, as you might say, the Devil stirring the pot, like the witches in Macbeth, to make the elements of evil work with greater activity and effect. It is no exaggeration to say, however, that for every vice in the City there are a

hundred virtues, and that for every sorrow there are scores of comforters.

Eminently cosmopolitan, New York, so far from confining itself altogether to the exercise of the virtues, is not, as might be expected, even satisfied with the iniquities of commonplace communities. Here, we can assert with greater truth than we can of any other city in the United States, the "sovereign people" sin and reign after a fashion peculiarly their own, and with a feverish zeal which almost gives to the "wickedness" of other places the semblance of virtue.

There is nothing in the United States that is not interesting, and you will not, therefore, think me tedious if I dwell somewhat upon the subject generally. Evils of all kinds there are, both moral and political, as there are in all great communities, and evils, too, of a very pronounced character; but the error in connection with them is that they have generally been ascribed to the wrong cause. It has been hastily said, and accepted as a matter of course by some foreign critics, whether from ignorance or ill-nature, or a mixture of both, that these evils flow directly from the character of the government. The assumption has never been accompanied by any argument to speak of; but, then, it has usually been delivered with an air of authority which, to the minds of many, had all the force of reason and indicated the exceptionally keen character of the writer's perception. Our governmental system has been pompously denounced as a "government of the mob." This charge is almost obsolete now, but there was a time when, as you are aware, it played a very conspicuous part on the stage of European, and especially of English, opinion. In the face of the fate which has befallen this and kindred exhibitions of ignorance or malignity, I have sometimes thought that the antiquary might find a very interesting field of operations in collecting the fragments (or moldy remains) of the

arguments, accusations, rebukes and predictions of inky hue, levelled at the Republic from time to time in the course of its history, but now happily or unhappily lost to the world as wasted efforts of envy or intellect. They might be assigned an important place in a museum of psychological curiosities, as a reminder to the American people of the many dangers they have escaped, and of how much they had to be thankful for to the Providence who controls critics and kingdoms alike.

During the immoral eccentricities of the Tweed regime in New York, some gentlemen who had not quite forgotten their school-boy reading, remembering that Jugurtha, when he observed the corruption prevalent in Rome, predicted its early fall, gloomily prophesied a similar fate for us. But the United States, far from showing any signs of dissolution, have developed a vigor which has not only conquered the calumny of the critic, often more difficult to conquer than a kingdom, but has even, in some cases, turned the attacks of enemies into compliments so fulsome as to savor of obsequiousness.

The feeling of a certain class of foreigners in this regard culminated on the outbreak of the Civil War, and with a very ill-concealed air of triumph they pointed to that internecine strife as an evidence of their foresight and a fulfilment of their prophecies. A marvellous amount of political wisdom and high moral feeling was developed in the most unexpected quarters during the period that followed, and while the issue of the contest was uncertain. Everyone in every bar-room and debating society three thousand miles away—the farther away, the better—had an opinion to offer about the United States, and most of the opinions were of an unfavorable, not to say an alarming, character. The country, it was gravely, sometimes triumphantly, alleged, by these political philosophers, ignorant alike of our institutions and our national character, had no cohesive power;

it was a mass of heterogeneous elements between which there was no natural affinity; and it was solemnly declared by some that it was a political monster, whose abnormal size made it a menace to the world, and that therefore Providence had mercifully interfered in the form of war, to restrain its presumption and keep it within reasonable bounds.

The feelings of the same class of persons, (many of whom, I regret to say, my dear Dean, were countrymen of yours), have happily changed since then, at least in profession, and I should be sorry to accuse them of hypocrisy. The doctrine of "manifest destiny," a device of our ingenious civilization for subordinating the principles of morality to our own wishes, now much in vogue, has come to their aid, and they can now find a use for the United States, higher even than the exalted one of producing heiresses for the comfort and convenience of bankrupt European nobility.

American progress, which at a time when, as you may remember, "our brethren across the seas" were more akin than kind, was characterized as an evidence of American greed and an unholy and headlong hunt after riches, has been placed in quite a different position. So with other things American, from the building of a Brooklyn Bridge to the driving of a nail in the fence of a prairie farm, the character of our doings and belongings has been honored and exalted. Even your present Laureate has been good enough to notice us, and to sing of us as though he wished we were not so far away from the country he makes musical by his song, that he might show us how much he loves us —perhaps by reading to us every day the verses with which he charms the ear of royalty.

This altered sentiment should of course be very agreeable to us, and, possibly, we would be better able to enjoy it, were our minds delivered of certain disturbing thoughts in connection therewith.

Dating, as it does, from a discovery recently made—cer-

tainly one of the most extraordinary ethnological phenomena on record—that the population of the United States which, directly or indirectly, represents in point of nationality, half the peoples of the earth, is actually "an Anglo-Saxon community," the mental struggle over the mysterious change of opinion alluded to, seriously interferes with our enjoyment.

But, discharging our minds for a moment of this difficulty, let us not forget that our national character has risen, and that our peculiarities as a people are no longer the subject of ridicule or condemnation. For instance, American progress, according to the new opinion, no longer represents "American greed," or the thing sneered at as "American smartness," or that still more objectionable thing termed "American push"; these things now illustrate, and, in fact, all things worth talking of in the United States now illustrate, the "vigor of the Anglo-Saxon race," and have, therefore, served the high purpose of paying a compliment to the greatness of Englishmen themselves.

The "heterogeneous elements" formerly complained of, have been condescendingly recognized, it having been, by a kind of Special Providence, discovered that they belong also to the same favored family.

The proverbial facility and complacency with which Englishmen can appropriate the virtues of other countries, almost convince one that the Apostle had England prophetically in mind when he said, in one of his epistles to a body of fellow Christians: "All things are yours."

Knowing as I do that you have made a special study of civil laws and the growth of municipal institutions in the Old World, I shall endeavor to enlighten you frankly on the merits and defects disclosed during our own rapid development along these lines. As I shall endeavor to demonstrate in subsequent letters that the fate of the Tweed Ring furnished a crucial test of our capacity for self-

government when crowded into a gigantic modern city, with large and diverse foreign elements to be educated and assimilated, it will be necessary for me to devote considerable space to a fair presentation of the rise and demolition of that Ring, and shall acquaint you with many facts not generally known to-day, even in this city of ours, which was the garden of the Tweed Ring—and which has not yet ceased to yield bounteous harvests to modern scientific political farmers and foragers who avoid the crude, coarse methods of the early pillagers!

LETTER II.

ENGLISH PRESTIGE IN EUROPE—HOW AFFECTED BY AMERICAN INDEPENDENCE—THE BOASTED BRITISH CONSTITUTION—FUNDAMENTAL DIFFERENCE BETWEEN IT AND THE CONSTITUTION OF THE UNITED STATES—HOW THE LATTER IS VENERATED BY AMERICAN CITIZENS—UNRESTRAINED AUTHORITY OF THE BRITISH PARLIAMENT—THE BLESSINGS AND DANGERS OF LIBERTY.

MY DEAR DEAN:

Owing to the many and virulent attacks which have been made, from time to time, by foreign writers of the class referred to in the preceding letter, upon American institutions, as long as there was any hope of destroying or discrediting them, and in reply to some observations and inquiries of your own, you will not think it out of place for me to say a word in relation to the nature and foundation of our American Government. The strictures just referred to were, after all, from an English standpoint, not unreasonable, for it must be remembered that America gave the first serious blow to English prestige in Europe, and it was long before she recovered from this wound to her vanity and reputation.

America was her most formidable rival in trade (a deity that Britons fervidly adore) and a greater rival still, in giving substance and life to principles of government of which England was long supposed to have the monopoly. After the fall of the First Napoleon, Great Britain was practically supreme, not only in Europe, but throughout the world—everywhere except in America. Here her power was obliged to halt. The free Republic was the sole formidable barrier to her scheme of universal empire, and although defeat to the arms of a nation is always a bitter memory to her people, many English statesmen now assert, and I should

say, correctly assert, that it was a blessing in disguise for England to have failed in her wild schemes, from first to last, against American liberty; that it was good for the world, good especially for England herself; and if there be something of the spirit of the imprisoned Uriah Heep in their rejoicings over her defeat, we can make allowances for the sense of self-respect which, under the guise of a righteous submission to the decrees of Providence, or the shield of a large philanthropy, would seek to hide her humiliation.

There is no expression to be found more frequently in the mouths of Englishmen, in their platform or other such performances, than "Our Glorious Constitution." You will not for a moment imagine that I wish to quarrel with the expression. Englishmen have a perfect right to use it if they please, and I can easily excuse them for being unusually proud of a system under which unusually great things have been done and uncommonly great men have lived. Besides, my only object in referring to it at all is for the purpose of comparison with another and, as I believe, a still more glorious Constitution.

The British Constitution, however, of whose merits so much has been said and sung, and which is an inexhaustible subject of British eulogy, has no actual or tangible existence. It is, in fact, a fiction, like so many things in the English legal system, and although certain measures, such as Magna Charta, the Petition of Rights and the Bill of Rights, are usually referred to under that name, it is as incorrect, from an American stand-point, to speak of them as a Constitution, as it would be to speak of the bricks of which it may be intended to build a house, as the house itself. Important as these measures may be, they lack the elements of permanence and unity, which, properly speaking, are involved in the very idea of a Constitution. They are, at best, but the *disjecta membra* of legislation, which Parliament in its desultory operations created and which

Parliament, in its omnipotence, may at any time alter or unceremoniously repeal. It is in the very nature of a Constitution that it shall form the basis of legislation, control the whims and limit the action of the legislator. Otherwise than sentimentally, the measures enumerated have no such effect.

The accuracy of the foregoing remarks is made abundantly evident by a glance at the United States, which have, as you are aware, a written Constitution, and where the idea of the omnipotence of Congress has no existence as the idea of the omnipotence of Parliament has in England. Congress is the subject and not the superior of the Constitution; the omnipotence of the legislature is a purely English idea, and the one, above all others, which distinguishes in character and scope of authority the Parliament of Great Britain from the Congress of the United States.

The possession of a written Constitution is a safeguard which, perhaps, more than any other, will secure the permanence of the Republic, and protect it from the only real danger it may yet have to fear. Against foreign enemies it is no boast to say that, both by position and extent of resources, it is invincible. Against internal ambition our written Constitution provides an effectual shield. It is no shifting or uncertain element. It stands firm, massive and prominent, towering aloft, and visible in the most remote corner, as in the centre, of the land.

There is nothing ambiguous about its utterances. The insolent hand of the political marauder cannot be raised against it or laid upon it under the pretext that he does not understand its provisions. Against all such assailants it stands as a warning and a guide, proclaiming, with a majesty peculiarly its own, "Thus far shalt thou go and no further."

It is a more effectual check upon the rashness of Legisla-

tion and the schemes of the politician than any kind of Parliamentary machinery ever devised. The latter, the expert and ingenious operator can, one way or other, work to his purpose, but in the presence of the calm, majestic dignity of the Constitution of the United States, he is awed into silence, and his schemes against the welfare of the Commonwealth shrink as though before a power which he is bound instinctively to obey.

Another safeguard of the Republic is the distinct individuality of its several States and the union of all. Each, within its own boundaries and within the sphere of its local affairs, is practically supreme. Each is a separate and living political unit, while all are combined under a common head by the golden links of liberty and law.

The national motto, *E Pluribus Unum*, appropriately indicates the nature of that social and political composition of the Republic, which, while one of the guarantees of freedom and of its national existence, is also the chief source of its dignity and power. In face of the fate which has befallen the greatest Empires, it might seem presumptuous to speak of the possible perpetuity of anything of human origin. So far, however, as one may be permitted to predict such a destiny for any nation, we may do so for the United States. Nor is this altogether unreasonable. It differs essentially and fundamentally from every country which has preceded it. It is founded upon principles which, until it arose, the world had never seen applied, and which, even yet, much of the world fails to appreciate or fully understand. The government of the people, by the people, and for the people, was a startling novelty in days when the narrowest doctrines ruled in politics and the reason of the better half of mankind was enchained by traditions of ancient tyranny and privilege. From time immemorial the earth had been filled with serfs and sycophants and with despots who, under one form or another,

had preyed upon their fellow creatures without mercy and without remorse. Half-dazed with suffering, the mass of mankind bore their ills in silence, looking in vain, or groping blindly, for a savior.

Amidst such conditions the United States arose, a miracle among the nations, a rebuke to tyranny for all time, a vindication of the rights of man as taught by Christ and His Apostles, and a warning to the selfishness of rulers throughout the world. From what depths mankind was lifted by the rise of the United States, can be seen on a perusal of the Declaration of Independence. How the great ones of the earth must have been surprised to hear that all men were created equal; how the spirit of the slave must have leaped within him, when he heard proclaimed, for the first time, the sacred right of resistance to tyranny; and with what indignation the pride of the social and political monopolist must have learned that the poorest of his brethren was as entitled, as he was, to "life, liberty and the pursuit of happiness." No doubt, there was a lifting up of many hands in horror, the raising of many supercilious eyebrows in contempt of these pretensions of the vulgar, and much wagging of sage and pious heads over the profanity and innovations of these latter days.

In the history of human liberty, that immortal document shines with a light which no lapse of time can obscure or diminish. It is as truly a synopsis of the Gospel of Freedom as the Sermon on the Mount is of the duties of man to man. While it is remembered, there is little fear of any long-continued triumph of tyranny or corruption. Its influence will never die. More than one hundred years have passed since it appeared, and it is still read with a fervor, and greeted with an enthusiasm, as striking as that which thrilled those who listened to the ennobling sentiments it embodies, on the first day of its publication. A knowledge of it is a part of the education of every child in our

public schools, and its teachings, like the prayers one learns at a mother's knee, become, and remain, interwoven with the highest and holiest part of the nature of the American man and woman, through every vicissitude of life. On the Fourth of July and other national anniversaries, it is read as an indispensable and leading part of the ceremonial of the day. This frequent renewal of early national inspirations keeps ever strong and fresh in the American mind the spirit which animated the Fathers of the Republic. It is a repetition of the story of the giant Antæus in his struggle with Hercules, and an illustration of the moral it contains. Brought into repeated contact with the teachings and glorious traditions of the past, the patriotism of the people is invigorated and renewed, as the strength of the exhausted Antæus in his fight was revived every time he fell upon the bosom of his mother earth, in a way that enabled him to resume the contest with fresh vigor, invincible while thus permitted to touch the source of his life and strength, but vanquished only when held in mid-air by his antagonist; so it will only be when the minds of the American people are withdrawn from the frequent contemplation of the principles which are the foundation as well as the pillars of the Republic, that it will ever incur the danger of overthrow or decay.

Upon the principles enunciated in the Declaration of Independence, the Constitution of the United States is founded. The spirit of these principles permeates every one of its provisions, and shines through them as the electric light shines through the crystal of the globe that surrounds it. In the Constitution the divine voice has received a permanent embodiment and expression, and the Goddess of national enthusiasm a noble and abiding temple.

As the words of the Declaration, no matter how often proclaimed, never fail to appeal to the hearts of its hearers, so the Constitution, under all circumstances, receives the

homage and respect—one might say, the reverence—of the American people. A man's fortune may fade and fall away, but his feelings for the great palladium of his country's liberties lose nothing of their intensity. No wonder; like the Great Dome of Heaven it bends over all, and embraces with its over-arching majesty every citizen of the Republic, without distinction. Be he rich or poor, fortunate or the reverse, it shelters all alike, and protects with its glittering ægis every member of the community in the exercise of his natural rights. But it does more, for it not only protects, but it unites the diverse elements of the community, by presenting to all one common object of worship and affection. Yet it can be altered or added to, for the conditions of progress require that alteration and amendment must be made, from time to time, in the best of things. A rigid and immoveable conservatism means early stagnation and ultimate decay. But our organic law can only be altered in the spirit in which it was conceived, and in pursuance of the policy for which it was originally instituted. Nor can any alteration, however trifling or however much required, be made without following a circuitous and well-defined course, by which the wish of the people can be distinctly ascertained, and their will implicitly obeyed.

Before any amendment to the Constitution can be passed, a proposal for the same must be made by two-thirds of both Houses of Congress, or in a convention called for the purpose on the application of the Legislatures of two-thirds of the States, and the proposed amendments become valid only when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as one or other mode of ratification may be proposed by Congress. Fifteen amendments, or rather additions, have been made to the Constitution since its adoption in 1787,

which, it may be observed, are all on the lines of the original instrument and are but expansions of its principles.

I have dwelt upon this topic thus far, for the purpose of illustrating the fundamental differences between the Constitution of Great Britain and that of the United States, and the manner in which they are regarded in each country respectively. The one is a group of well finished but loosely connected materials, the other a solid and stately structure. While, to the American mind, it seems almost criminal to interfere with any rule which the Constitution has laid down, or any right which it guarantees, under the English Government the most sacred rights of the people, even the Act which guarantees them a speedy trial and freedom from imprisonment, may be set aside with no more ceremony than is required to pass an ordinary bill, and, as you are aware, have been so set aside in England within the present century, and, in very recent times, in one part of the United Kingdom, in manner more summary than that usually observed in passing a common railway act or settling a question of supply.

The arrest and imprisonment of the subject, without warrant, or without warrant of a constitutional character, have been sanctioned with a lightness, and even hilarity, which might almost incline one to believe that the whole proceeding was intended for the promotion of official amusement.

With a system like that of the United States, written, fixed and definite, such rash legislation in matters so vitally important would be absolutely impossible. The "genius of the Constitution," which Lord Chatham so fervently invoked for the purpose of restraining the inconsiderate passions of his time, would not have been appealed to without effect, had there been a fundamental structure to restrain the rashness of Parliament. But there were no lines to limit

the omnipotence of England's Lords and Commons, an omnipotence which at once confers upon them great dignity and exposes them to great danger; there was nothing that distinctly represented or embodied the genius of the Constitution, which could be tangibly or directly appealed to; the goddess was only a poetic fancy; the expression an alluring figure of speech, which lost its poetry and its force when the orator resumed his seat.

But you may naturally ask, how, under such a system as ours, where all that is best in man may attain the highest perfection of which he is capable, can such enormous evils arise which, even ourselves frankly admit, exist in certain localities?

The reason is not far off. Besides the fact that we have to deal with a composite population, it is not to be expected that men whose immediate ancestors scarcely even heard the name of liberty, as we understand it, could enter into the enjoyment of it with the calmness and moderation of hereditary freemen. Liberty, while a great blessing, may be also a great danger. Evil and good seem destined to walk side by side forever in this mysterious world of ours, and the greater the good, the greater sometimes appears the influence of its dark companion. The powers of darkness exact a tribute from the powers of light, which the latter are bound in some form or other to pay. Liberty is like the sun, and as the same sun which in its strength brings forth the most luscious fruits and the bright luxuriance of flowers, nurtures also the poisonous plant, so liberty, in the fields of human advancement, not only develops, in the highest degree, the noblest forms of virtue, but also some of the worst forms of evil. That it may have done so here, in some respects, I am not going to deny. But the human weeds, inseparable from the present condition of our society, will gradually disappear under the

progress of intelligence and higher ideas of morality, which true liberty is sure to disseminate.

Our purpose, however, is to take a look at the past, and this I shall begin to do in my next letter.

LETTER III.

MYSTERIES OF MUNICIPAL AFFAIRS—FAR REACHING "PULLS" OF A HIDDEN POWER—A SUBSERVIENT AND CORRUPT JUDICIARY—HOW JUDGES WERE SEDUCED FROM THE PATHS OF RECTITUDE—APPARENT INVINCIBILITY OF THE BOSS AND HIS ADHERENTS—HIS GRASPING PROPENSITIES—NEW PHASE OF AN OLD EVIL—THE PERIL WHICH CONFRONTS OUR CITIZENS TO-DAY.

MY DEAR DEAN:

From the tone and scope of my last letter, you may be led to believe that I am such an absolute idolater of American Institutions as to be no more able to see in them a blemish or defect than the lover can in the person of the lady he adores, or that if I did see any, my admiration of the governmental fabric as a whole would render me incapable of writing anything which might tend to lower the dignity or detract from the beauty of the idol. My object, however, is not to idealize American Institutions or to crown them with any laurels to which they are not fairly entitled. It is simply to chronicle what I have seen and known of political methods for the last thirty years in the City of New York, and in doing so faithfully I shall be obliged to say many things far from flattering. For manifest reasons the names of the characters introduced will be in some instances fictitious, but they themselves will be sufficently described to make their identity easy of recognition by any one who may have followed the history of the City during the period of which I write. The characters introduced will truly and fairly represent their prototypes. No misrepresentations shall mar the truth. No picture of New York political life or of the characters of those who figured in it shall be overdrawn. No situation, be it gro-

tesque or normal, shall be exaggerated. True it is, I would fain be delighted that everything of political life, from the highest functions of the government down to the doings of the ward politician in a city, should be in accord with the principles enunciated and the hopes inspired by the fundamental instrument on which and through which the whole machinery has been set in motion.

But the history of the races of the earth shows that, no matter how splendid or noble the character and object of schemes of government have been, however high the motives of its authors or earnest their desire to accomplish the greatest good to the greatest number, in the practical operation of its details they have in numerous instances been but so many instruments to serve the purposes of the corrupt and vicious. The people of every enlightened community in their aggregate capacity are, as a general proposition, honest. Hence the social and political disturbances arising from discontent with the corrupt few, ending ultimately in violent revolutions and bloodshed, which have characterized the history of almost every country ancient and modern. Even under the highest form of human government as it appears in the United States of America, whose foundations are laid on a basis of the broadest benevolence and humanity, corruption in the avenues of local administration, especially in cities, has had, and unfortunately is now having, its corroding effects in the body politic.

Within the period of which I am about to write, it is my pride and privilege to be able to assert, that the City of New York has experienced an evolution which, although by no means satisfactory or complete, is yet a step towards the attainment of honesty and capacity in the conduct of municipal government. It is because there is still much room for improvement, and because I believe the improvement can be easily effected when the necessity for it

becomes sufficiently known, that in these letters I desire to lay bare the abuses from which we have suffered and to a great extent are still suffering.

The public at large know but little of the under-currents which control our municipal affairs, or those subtle methods and practices which continually steal, without the public's knowledge or observation, the safe-guards of their liberty and the essential elements of their prosperity. It is safe to say that there are scarcely five thousand persons in New York City, out of its three-and-a-half millions of population, who not only have not a full, but who have not even a faint, idea of the insidious character of the political methods which control their local affairs and interests, the secret channels of influence, and the devious paths leading to a hidden power which in effect is as potent as that of a despotic monarch.

Yet the population of New York shows an exceptional intelligence in its treatment of public questions, and is versed in public affairs to an extent which surpasses that of the average inhabitant of any other city in the world. This superior intelligence is, I believe, the result of that universal suffrage which gives every citizen a personal interest in the government, and in a closely crowded community, where people are frequently in the habit of meeting each other, leads to a vigorous interchange of views. The reading of newspapers is universal. It is not confined to any class or sex, or even to any age after twelve years. When an election is in sight the newspapers regard all other work in their columns as secondary to the flaming articles, pictures and caricatures, bearing on the issues involved in the coming contest. Women in every station of life are caught in the vortex of political excitement and enter with spirit—often with asperity—into the arena of political controversy. No household, however peacefully inclined its inmates, is exempt from the possibility of

becoming the theatre of lively disputes on the relative merits of candidates, the truth or falsity of the torrent of accusation, vilification and slander with which, according to custom, the character, private and public, of the representatives of the contending parties is at such times assailed.

In view of the statement that there are scarcely five thousand persons in the City of New York who are aware of the secret and surreptitious methods governing the "inside" of politics, or of the subterranean channels through which gross wrongs are perpetrated, this claim to superior intelligence on the part of the people of New York may seem paradoxical. But it is easy of explanation. The general discussion is on subjects which are open and above board. The secret combinations, conspiracies, "deals," and bribery are confined to the expert politician. The combinations are so involved and intricate that it requires long experience and sometimes unusual sagacity to probe the depths of the schemes.

The purpose of this and succeeding letters will be to reveal to you the truth concerning them, and lay bare the facts in all their naked repulsiveness, with the object of giving you a full view of our political situation, and in the faint hope that, should these disclosures ever meet the public eye, similar practices may be foiled in future.

In thinking of these schemes and their effects, one can hardly say whether he feels more of anger or humiliation. Among the various grades of evil, perhaps the most serious and melancholy of the results arising from the work of the professional politicians has been that affecting the Judiciary. It is difficult to conceive the possibility of a subservient and corrupt Judiciary in an enlightened community. To be made the arbiter of the differences between man and man, to be elected by a confiding people to deal out even-handed justice, to be sworn to enforce the law, to be paid a liberal stipend from the pockets of the people to perform that

service with impartiality—these are conditions which should appeal to the honor, the manhood and whatever there is of good in the human mind and heart.

The functions of a Judge approach more nearly our conception of Divine Justice than those of any other position on earth. To basely betray that trust is an act bordering on sacrilege. To wrongfully take the property of one man and confer it upon another by the machinery of the law and the wilful employment of juridical chicanery, for a bribe, or for favoritism, or for hope of reward from the person benefited, or for the purpose of procuring political advantage, or in recognition of political favors received or to be received, or for any purpose on earth, stamps the Judge who is guilty of such treason and infamy as the worst of all criminals. He embodies in his own person at once the character of a betrayer of a sacred trust, a callous purloiner of private property, and a perjurer of the blackest dye; and all these things have been done. Some who have been on the Bench have laid the flattering unction to their souls, that their secret liaisons with unscrupulous political libertines, who audaciously defiled the Temple of Justice, were undiscovered and unknown; but these pages will disclose facts showing that Judges who lend themselves to schemes of politicians will not escape retribution. How lawyers of supposed sagacity, derived from experience at the bar, long or short as the case may be, (in New York, generally short) who reached the Bench, should have deluded themselves with the belief that they could entirely hide their tergiversations, is a matter of increasing wonder. But they ought to have known what the history of our Judiciary proves, that the politician who was able by his previous association with a Judge—that is to say, his intimate political acquaintance with him before he became Judge, which relation resulted in that Judge's elevation to the Bench—would some time or other boast of a triumph

in seducing him from the paths of rectitude, even as some miscreants, inflated with vanity, boast of their conquests over female simplicity and weakness. In such case, at first he is cautious and confides it only to his closest friends. Each of the "closest friends" in turn, to show his own importance, tells his "closest friends" of the transaction. After being whispered about among a coterie of "closest friends," it becomes well-known that this particular politician "owns" a certain Judge and can get him "to do anything." This brings vast importance to the politician aforesaid. Of course, he never openly states that he has this extraordinary power in the Courts, but by significant glances and in some cases by a knowing wink, he impliedly pleads guilty to the soft impeachment. During all this time, the miserable creature who is robed in judicial honors reposes in perfect ignorance of the ignominy which his acts of dishonor are bringing on his name. This has been the fate of many a Judge.

But I must not anticipate the subject matter of subsequent letters. In this communication, I shall merely foreshadow the errors of our municipal government of the past and present, and leave my illustrations by actual occurrences for future letters. Meantime, I desire to point out some false theories concerning the source of such errors.

Many foreign writers, who believe nothing good can come out of Nazareth, point to the corruption in public places prevalent in the City of New York as an evidence of national depravity, and dwell particularly on the disclosures under the Tweed regime as terrible examples. They speak of them more in sorrow than in anger, as it were, and, in a spirit of subdued regret at such manifestations of moral turpitude, plainly insinuate, if they do not openly assert, that all this has its origin in Universal Suffrage, which admits the ignorant and the vicious, especially foreigners, to the privilege of the ballot. While avowing a toplofty approval of

"American Institutions," there is in their utterances an occult insinuation that the entire fabric of government is open to the most serious objections. None of these critics places the matter in the true light.

It is conceded that in New York City great public crimes have been perpetrated, especially under the domination of Tweed and his confederates. But look at the conditions for a moment. Tweed and his coadjutors had nestled themselves in the very vitals of the municipal government. They controlled (as it is termed here, "owned") the Judges on the Bench, or at all events a working majority of them; they owned the District Attorney of the County; they owned the Grand Jury, which body was selected by their creatures; they owned the Counsel to the Corporation; they owned the members of the Common Council; they owned the financial officer of the City; they owned not only all the heads of the various Departments, but the Police Commissioners, who had charge of the ballots cast at elections and who permitted the returns to be manipulated as suited their purpose; they owned the Board of Supervisors, who finally counted the returns; they owned even the Mayor; they owned everything, in sight and out of sight, in the way of public functions and public functionaries; they held a citadel copper-bound and copper-fastened, all welded together by the "cohesive power of public plunder," which made them and their retainers co-partners in the crimes committed and to be committed.

Yet that gigantic and apparently impregnable combination was shattered into a thousand fragments, and the conspirators (such of them as were not imprisoned) scattered as refugees from Justice to almost every quarter of the globe; and all this was accomplished without any other instrument than the inherent and latent power which has its foundation in Universal Suffrage. Not a drop of blood was shed, not a soldier was called to arms, not a policeman's baton was

employed, not a violent blow was struck, nor scarcely an angry word uttered, but soberly and orderly, New York woke up to its duty and authority under the law, the machinery of Justice was set in motion with dignity and effect, and the People, stimulated by the Press, with the ballots in their hands, seconded the movement led by a few public-spirited citizens who, casting aside for a while their every-day avocations, espoused the cause of pure government.

At first the task seemed hopeless, but the moral sentiment of the community gradually bestirred itself, and, although the fight was a desperate one, the unwavering courage and abiding confidence of the honest citizens triumphed, and Law and Justice were vindicated. If, therefore, the causes of these public plunders are traceable, as erroneously claimed by some writers, to the abuses under Universal Suffrage, it cannot be denied that by virtue of that same Universal Suffrage the ship was righted, and without bloodshed or even disorder restored to its original position.

Where in the history of the world, outside of America, was such massive and cohesive power broken without going through scenes of turbulence and carnage? Where is recorded such another triumph of law and order, without having recourse to anything but the machinery of civil authority? No higher tribute can be paid to the genius of our institutions than the facts revealed in the story of that peaceful revolution. The magnitude of the resources at the command of the public plunderers, and the power behind and within which they were ensconced, but show more clearly the remedial and irresistible virtue that resides in the laws which afterwards made them felons and outcasts.

Similar epidemics of corruption have appeared in other cities of the world, where no Universal Suffrage existed, and that in itself is a complete answer to the charge that

the primary cause of corruption in New York lay in the fact that the ballot was in the hands of every citizen. The difference between the case of New York and that of such other cities is: while our experience shows there is no charm in Universal Suffrage to save society from the possibility of corruption, it also shows there is a restorative and healing power in the ballot which can peacefully effect the cure; but, in cities where Universal Suffrage does not exist, a remedy can only be perfectly achieved by the bullet or some such other clumsy method of official violence.

I do not by these observations pretend to claim that the upheaval in New York, in the days of Tweed, and the terrible lessons it taught to dishonest public servants, forever remedied the evils of our municipal government. It did effectually cure that particular form of disease with which the Tweed Ring was identified, but it did not prevent the evolution of another phase of the same evil, in our body politic, of at least as dangerous a character.

Indeed, as a moral and theological question, it might be difficult to determine which of the two systems of peculation is the more abhorrent,—that of Tweed and his confederates, who stole by boldly altering the City accounts, whereby millions of dollars at a clip were feloniously extracted from the Treasury, or that of the modern operator who lets the Treasury alone, so far as any direct assault upon it is concerned, but who, by the power vested in him as Boss, is able to steal from the pockets of the people by indirect methods; by a process of magnificent blackmail to which not only the evil-doers, who pay for protection to their nefarious calling, are subject, but of which the prosperous merchants and the mighty corporations are victims. Whatever may be the degree of moral depravity of the respective systems, the result is the same to the people, because the ill-got gains in each case come out of their pockets.

Of course, the Tweed system was the more vulgar, more coarse, and less ingenious. It had not in it the tinge of "business," the finesse, the smoothness of our modern system. But, after all, was it not the less dangerous? The one was to a certain extent open, tangible and capable of being determined, and consequently the more easy of detection. The other is devious, secret and insidious, under which the tribute or hush-money from the hands of thousands of interested victims or dependants passes into the capacious pockets of the man in power, like an indefinite number of rivulets starting from various sources, yet all flowing ceaselessly into one common and hidden pool.

LETTER IV.

How Absolute Power of the Ring Was Acquired—Origin of the Tammany Society—Its Importance in the Early Days of the Republic—Its Seizure by Tweed and His Associates to Promote Their Supremacy—The Source and Explanation of One-Man Power in the Democratic Organization—The Primary Election Farce—Wheels Within Wheels—Political Patronage and the Uses Made of It.

My dear Dean:

I remember that, during my visit to your home, you interrogated me particularly and closely, as to how, in a City where manhood suffrage prevails and popular sovereignty exists in its broadest sense, one-man power in politics could be attained; and how the absolute control of political power and patronage, in a City then of nearly one million of inhabitants, became centered in one man, called Boss, or at any rate in three or four men; and, moreover, how this power could continue for any length of time, especially when there existed a deep-seated suspicion, amounting to almost positive conviction, in the public mind, that those in authority were seething in corruption and purloining moneys from the public Treasury.

Reflecting on this subject, I must admit it is not strange that such a condition of affairs was inexplicable to you, for, indeed, to the generality of New Yorkers, of that date, it was also inexplicable. Even now, the process whereby that absolute power was acquired and maintained, is known to comparatively few of our citizens. Yet the power to prevent it rested with the citizens themselves, just as it was proven that the power to break and destroy it rested with them. The citizens never took determined action until

they were made fully alive to the magnitude and iniquity of the public plunders which degraded, despoiled, and nearly bankrupted their city.

It was while the Tweed Ring was in the height of its power that the term Boss was applied to the man who had control of the dominant political organization of the city; who, by reason of his power, almost autocratic, was able to dispense political favors and patronage to his followers; who was able to make nominations for elective positions, through the instrumentality of conventions, which were supposed to represent the popular sentiment and to have been the creation of a popular vote, by what were known as primary elections, but in reality were convened and controlled by this one man.

The term Boss, however, did not have its origin in New York, nor was it primarily applied to a politician. The name was first used to designate a person who employed a number of men to perform manual labor, such as those engaged in building a railroad. It was applied also to a superintendent of any great work, where a large force of men was employed, and who could discharge or retain such of them as he saw fit. In the course of time the application was extended to almost any employer of labor, and expressed the same idea as Master does in your country. The phrase Master and Servant is unknown in this country, except in the Courts of law, where the expression is used in a mere technical sense, to designate the respective rights and obligations of employer and employee. But no employee in this country, while he may and does refer to his employer as Boss, will ever think of designating him Master. And of course it follows that he never describes himself as Servant, nor indeed will he allow any one to call him Servant without repudiating it, in some form or other, as incompatible with his American citizenship. No one, no matter in what capacity he may be engaged, objects to say-

ing "My Boss," or, "I have a good Boss," or, "I have a bad Boss," as the case may be, in referring to his employer.

A Boss, therefore, is a person of station and importance in the minds of the ordinary individual, and the highest aspiration of any workman, be he employed on a railroad or in a factory, or any other establishment where a number of hands are engaged, is that some day he may be made Boss, which would ordinarily mean a superintendent, foreman, or other supervisor of the men and their work. In alluding to any one who is attempting to usurp authority, or give orders with unnecessary imperiousness, the expression is often heard "He is playing Boss," or, "He is trying to Boss me." Illustrative of this anxiety to play the part of Boss, a story is told of a laborer who was engaged to shovel five tons of coal into a shute in front of a residence. He was to receive one dollar for the job. Forthwith he engaged two Italians to do the work, at a stipulated price of sixty cents each, making one dollar and twenty cents in all. While the Italians were shoveling the coal, he superintended the work, walking up and down with great pomp, and giving directions, now and again, in loud and most peremptory tones. When he was asked to explain why he should thus lose twenty cents on the job, he answered: "Begobs, it's worth twinty cints to be Boss, any day."

It is therefore easy to trace the application of the term Boss to the political autocrat, although I believe that Tweed was the first politician to whom it fastened as a distinctive and permanent cognomen. And now I may proceed with my explanation of the source of one-man power.

Tammany Hall's political prestige had its origin in the Tammany Society, a secret organization which is almost coeval with the State of New York. Soon after the first inauguration of Washington at New York City, in April, 1789, William Mooney, an Irish-American, of fair education, strong natural talents and ardent devotion to the

American cause, being an advanced "Liberty Boy," inspired by the fervor created by that great event, was instrumental in organizing the Tammany Society, or Columbian Order, and on the 12th day of May of the same year he was installed as its first Grand Sachem. It began its career as a purely patriotic and benevolent organization, and one of its announced purposes was the diffusion of liberal principles and the "spread of the light of liberty." Another of its avowed objects was the extension of the elective franchise, which was then confined to citizens owning real estate. The Society of the Cincinnati, also a patriotic organization, had been in existence several years before, but it was regarded as exclusive in its character, and admission to it was supposed to be open only to those of aristocratic tendencies; and although it was asserted, at the time, that the Tammany Society was started in opposition to it, there is no well-authenticated ground for this charge.

Tammany Society derived its name from a noted Indian chief, named Tamanend, who, from all accounts, was a person of great parts. While, it is said, he was a bold and sapient leader in times of war, he won undying renown by his wisdom, his peace-loving disposition and his skillful diplomacy. In behalf of the tribes over which he ruled he negotiated a treaty with William Penn. After a most exemplary life, he died at the age of 107 years. On account of his pacific policy and great piety his memory became so endeared to the Pennsylvania troops, under Washington, at the close of the Revolutionary War, that, discarding St. George, their old patron Saint under English rule, they adopted "St. Tammany," and gave a great celebration in true Indian fashion, to signalize the event. That festival was unique. A great liberty pole was erected. The warriors, elaborately decorated with feathers and buck-tails, gathered about the pole amid imposing pomp and ceremony. From the huge wigwam, which was adorned as befitted the abode of a great

chief, came forth the representative of St. Tammany, dressed in the most artistic Indian fashion. To the assembled multitude, composed of civilians as well as soldiers, he gave a "long talk" on the duty of the hour, dilating upon the virtues of courage, justice and freedom; after which the warriors danced and caroused far into the night. For many years this celebration was continued, not only in Pennsylvania, but throughout other parts of the country.

The Tammany Society was not organized until some years after this event; but, when fully organized, in addition to electing a presiding officer or "Grand Sachem," twelve other "sachems," making thirteen in all, were elected to represent the thirteen original States of the Union. And to carry out fully the American principles of its founders, as well as to show its contempt for those societies aping foreign manners, it adopted aboriginal forms and ceremonies, and divided the year into seasons of "blossoms," "fruits" and "snows," and the seasons into "moons," and in issuing calls for its meetings quaintly stated the time as "one hour after the setting of the sun."

From the day of its organization the Society began not only to increase in numbers, but to exercise a potent influence in the politics of the City, State, and even in the country at large.

Following the establishment of the new Republic, the wealthy Tories who had remained in New York City, and who had sympathized with the English during the war of the Revolution, were excluded from political preferment. At about the time of the first inauguration of Washington, these disabilities were removed; an action which created popular indignation and, it is said, was the primary cause of the organization of the new Society. This circumstance tended, as a matter of course, to increase the popularity and power of the Society. Moreover, its forms and usages, derived as they were from Indian customs, invested it with

a romantic interest, and the popular instinct gave it the character and credit of being the special champion of the common people. President Washington himself, it is claimed, had recourse to the aid of the Society in 1790, in receiving and entertaining a delegation of the Creek Indians, with a view to forming a treaty with them.

In those times the dominant political parties were Federalists and Republicans. The Federalists were supposed to be the conservative and aristocratic classes, as many persons are now in the habit of regarding the Republicans of to-day; while the Republicans of that day were the rank and file of the people, whom we now recognize as belonging to the Democratic party. Hence the posters and advertisements of Tammany Hall to-day, announcing its choice of candidates for office, are headed, "Regular Democratic-Republican Nominations"—while the posters of the Republican party read "Regular Republican Nominations."

While the Tammany Society exercised a potential influence for many years in shaping party policies, the first evidence of its zealous partisan activity was manifested when Aaron Burr, through his personal acquaintance with Grand Sachem Mooney and others of its leaders, although not himself a member, led it in 1799 against the Federalists, in both the City and State, giving them a surprising defeat, and indirectly securing for Burr himself a nomination to the Vice-Presidency of the United States.

Emboldened by his success at the polls, through the aid of the Tammany Society, Burr even attempted, by trick and device, to steal the nomination for the Presidency from Thomas Jefferson, whose Democratic principles and great renown as the author of The Declaration of Independence endeared him to the "Sons of Tammany." Burr's attempt cost him both prestige and power, and although the Society supported him for the Governorship of New York, it was but in a perfunctory manner, which enabled Alexander

Hamilton to secure his defeat. In the bitterness of his chagrin, Burr deliberately provoked a duel with Hamilton, and slew him, remaining, ever after, a ruined and scorned man, until his miserable career was ended by death.

The Tammany Society, which had now become in politics a most formidable force, obtained from the Legislature of the State, in 1805, a charter under the name of the "Tammany Society, or Columbian Order." The objects in the charter are defined to be, mainly, "for charitable and benevolent purposes." Under the scope of its charter it established (about 1807) a Museum of Natural History; but this did not prove to be a success, and the great showman P. T. Barnum finally came into possession of it. Indeed, the establishment of the Museum was regarded as a mere side-show, for politics was the main-spring and life of the Society. It had its hands full about this time, in a bitter contest with De Witt Clinton, subsequently Governor of the State, and the originator and advocate of the great Erie Canal. The cause of the quarrel was that Clinton, at one time the Scribe of the Society, became displeased with it on account of its having permitted Burr to use it for his own selfish purposes. In this controversy with Clinton, President James Madison took a hand in favor of the Society, notwithstanding the fact that De Witt's uncle, George Clinton, was then Vice-President. The Tammany Society obtained entire control of the Federal patronage in New York City, and at the same time one of its members, Daniel D. Tompkins, was Governor of the State.

The first Tammany Wigwam was located in what was then known as "Martling's Long Room," corner of Nassau and Spruce streets, where the building of the leading Republican paper (the *Tribune*) now stands. The first regular Hall for the Society was built on the corner of Nassau and Frankfort streets, now the site of the New York *Sun* newspaper. It was first occupied by the Tammany

Society in 1812, and from that period the Democratic organization of this City, owing to its occupancy of the Hall of the Tammany Society, became identified with it, and known as "Tammany Hall."

I have referred briefly to the ancient history of the Tammany Hall organization for the purpose of showing that it has some claims on the sentiment and support of the people, because of its ancient prestige and liberal policy, and that long ago, if it were not for this fact, the corruptions of which it has been the nurse, and which at times have stunned the public, would have resulted in its annihilation.

Shortly after the close of the Civil War, when what is known as the "Tweed Ring" was being formed, it was found necessary by the members of that combination, in order to secure absolute control of the Democratic organization, and to promote their schemes, to capture the Tammany Society. At every annual election of that Society, as I have before stated, there are elected thirteen Sachems. Under the control of these Sachems is all the property of the Society, including, of course, Tammany Hall. As no special interest was generally taken in those elections, it was an easy matter for the members of the Ring to elect—and they did elect—a majority of the thirteen Sachems, thus gaining control of the Society and of Tammany Hall. Once entrenched in the citadel of Democracy of the City of New York, being in possession of all the power and fittings of the organization, it was an easy matter to hold the fort.

The first step of the Ring, after securing ascendancy, was to sell the old building on Park Row, corner of Frankfort street, and erect a new edifice on Fourteenth street, the corner stone of which was laid on July 4th, 1867, and in one year from that date the Democratic National Convention of 1868 there assembled and nominated Horatio Seymour for President of the United States—the first National Convention since 1860 at which delegates from all the

States of the Union were present, the secession of the Southern States during the Civil War having temporarily disrupted the party.

A few words now about the organization of the Democratic (or Tammany Hall) party as it existed in the days of Tweed. But, I may say, primarily, that in the State of New York we had then, as now, two distinct census-takings —one by the Federal government every ten years, or for example in 1870, 1880, 1890, 1900; while the State census is taken every intermediate fifth year, or in 1875, 1885, 1895, and so on. After each census there is a new apportionment of representation based on the population as newly recorded. The Congressional districts, which of course determine the number of representatives from each State, are fixed by Congress. The Legislature, after a State census, divides the State into Judicial, Senatorial and Assembly Districts; but the component parts of Assembly Districts where there is more than one in a county are fixed by the Board of Supervisors of such county. In the city of New York portions of the Wards are in different Assembly Districts, caused by the endeavor to equalize the popular representation in each Assembly District. For instance, in 1868 there were twenty-two wards, but only twenty-one Assembly Districts. Then the Bureau of Elections, the Police Commissioners, divided each Ward into Election Districts; and the General Committee of Tammany Hall as well as that of the Republican party fixed the number of delegates to the respective General Committees to which each Ward was entitled, basing the representation upon the numbers of Democratic or Republican votes cast in each Ward at the last Gubernatorial election. This much I state to show you the basis of our American system of representation.

Every Ward of the city had a Ward Committee supposed to represent the Election Districts in the Ward, and the

combined Ward Committees formed the General Committee of Tammany Hall for the city at large. In every Ward was a captain or leader, who might or might not have been the chairman of the Ward Committee. If the chairman was not the leader, his functions were merely ornamental, as the whole power was lodged in the leader or local Boss, who had been selected for the position by direction of the Boss-in-chief. Then, besides this, in every Ward was an Election District Committee, consisting of delegates from the Election Districts into which the Ward was divided. This was not a very important body, except that it formed a scheme to extend connection with Tammany Hall as far as possible among the people, and to furnish voters when in case of a contest they were needed at primary elections. It also could, at short notice, supply claquers or "shouters" at nominating conventions. This Election District Committee was absolutely controlled by the local leader, who named its chairman and other officers. A large majority of its members were mechanics and laborers employed on the various public works. These committees that I have described were only what may be termed the scattered power of the organization.

I now come to consideration of *the* committee in Tammany Hall in which was concentrated the one-man power. That was the Committee on Organization, or Executive Committee, composed of the twenty-two leaders of the twenty-two Wards respectively. This body was the absolute slave of the Boss-in-chief. Every member of it either held office, elective or appointive, at the Boss's hands, or else was a favored contractor of public works, or was in some other position of political advantage. The Boss not only held every one of them responsible for his own vote and conduct, but for the vote and conduct of the members of his Ward Committee, and further, for the vote and conduct of every member of the Election District

Committee of his Ward. When I say conduct, of course you understand that I mean political conduct. So you see, the Boss-in-chief held the whip-hand over every member of the General Committee as well as of the Ward and Election District Committees.

But, you may inquire, how did all this control nominating conventions composed of delegates elected by the people? I may answer, that I have shown you the component parts of the "machine," the wheels within wheels, and the lever on the inside. You must remember also that the great majority of the members of these committees were on the City pay-roll, or were interested in some way or other, politically or financially, in the success of the "machine," and that there were many sinecurists who performed no work except political work. Thus the "machine" created conventions, set them in motion, and controlled them, as absolutely as the engineer who has a hold of the throttle of his engine controls not only the running of the engine, and of every car attached to it, but the destiny of the passenger inside. No one on the inside objected to the great political engineer, or to the manner in which he ran the "machine," in this case; for all hands were enjoying a pleasant and profitable time.

Now, as to the management of the Primary Elections, and the calling and handling of conventions. In the first place, you must bear in mind that "regularity" was an essential element of Tammany's political power in those days, as well as at the present time. What I mean by "regularity" is, that the Democratic State Convention recognizes and accepts the delegates sent to that Convention by Tammany Hall as the regular representatives of the Democratic party in the City of New York. The method of maintaining regularity in all the districts, then as now, was as follows:

The State Central Committee—a body elected annually

by the State Convention to perform all executive work during the year and until the next State Convention—issued a call for the holding of a State Convention, at a designated time and place, and requested the Democracy in every Assembly District to elect delegates to said Convention, stating the purpose for which the Convention was called. Thereupon the Chairman of the General Committee of Tammany Hall got that Committee together, and after explaining the object of the meeting, some one, under instruction from headquarters, offered a resolution that Primary Elections be held in the various Wards to elect delegates to Assembly District Conventions, for the purpose of selecting delegates to the State Convention, in pursuance of the "call" of the State Central Committee. This was all right and proper and entirely regular. The resolution was of course adopted. Then the presiding officer requested each Ward Committee to name three inspectors to preside over the Primary in his Ward, which inspectors were named by the respective leaders. This was done, and also seemed fair on its face and entirely regular. Here is where "popular sovereignty" was supposed to begin, but in reality where it ceased to exist.

The call from the General Committee was published and the Primaries were held on the night named in the call. But, prior to that night, the leader of the Ward, whether he was chairman of the Ward Committee or not, and who had, as I have stated, chosen the inspectors, made out a list of delegates to be voted for at the Primaries. Of course he named only men on whom he could rely. Then he sent for the three inspectors of the Primary, who were supposed to receive and count the ballots, but were his creatures, and he had them sign a certificate, that the persons named on the ballot prepared by himself had been duly elected delegates to the Assembly District Convention. All this, it will be observed, was in advance of the Primary Election;

so what might occur thereat was of little consequence, as the "credentials" of "duly elected" delegates were already in possession of the leader, who, when the convention met, drew them from his pocket and, as there was no going behind the returns, his delegates took their seats. Of course the inspectors of the Primary attended at the time and place designated, and the form of election was gone through with. If, at the Assembly District Convention, there was any question raised as to the method of the election, or if there was what is known as "a contesting delegation," the matter was referred to a Committee on Credentials, selected one from each Ward delegation, which committee reported according to the orders of the Boss-in-chief, or his deputy, the local leader. A contesting delegation, was, however, such a futile proceeding, that very few had the hardihood to try it.

This *modus operandi* of Primary elections for State purposes applied as well to the election of delegates to the various Conventions of the City for the nomination of all local officers. For instance, take a City, or as it was termed a County, Convention to nominate a Mayor and other municipal officers and Judges. Primaries were called to elect delegates to a County Convention; by the same process that I have described above, the delegates were the selection of the local leaders in the various Wards. Every local Boss controlled and owned the votes of his delegation and he in turn was controlled and owned by the Boss-in-Chief. The Boss-in-Chief therefore held that Convention in the palm of his hand.

Can you now wonder how Boss Tweed owned not only the Mayor and other municipal officers, but even the Judges on the Bench?

But you may say, the calls for the Primaries were public, and could have been availed of by the citizens who were outside the influence of the "machine"; and, that

being so, why couldn't they have out-voted the ticket of the organization, and elected a ticket of their own, by such a large majority that there could have been no question about the result? I answer, that numerous efforts had been made in this direction, but the persons who tried had always been circumvented by the "machine," even when the outsiders mustered four to one of the insiders, and it was done in this way: The inspectors of the Ward primaries were appointed by the General Committee of Tammany Hall, on the nomination of the leaders of the Wards, as I have before explained. The local Boss printed a list of delegates, to be "elected" at the primaries, which he called the "regular ticket." He had several hundred of these printed. He gave half a dozen of the printed tickets, or more if necessary, to each of his chosen followers, who were first at the place where the votes were received and deposited in a box, under the supervision and control of his inspectors, who readily permitted these early voters to stuff the box with any number of "regular tickets" they choose to put in them. Besides, if there were any real danger, the close followers, or as they were termed the "heelers," of the local leader, would keep possession of the main entrance to the place where the Primary was being held, on pretense of having not yet voted, and as there was generally only one hour for voting, those hostile to the organization were deprived of any chance to cast their ballots. There was no use of attempting to force an entrance, as was sometimes done, because the police were under the control of the Tammany leaders and would permit no "disturbance" at the polls.

But, you may argue, when the nominations are made in this arbitrary and dishonest manner, why should the people vote for the nominees? Because, I answer, New York was then, as now, an overwhelmingly Democratic city. The Republican leaders made no effort to change it, regarding it

as a hopeless task. Instead, they made corrupt deals with Tweed and his associates, whereby they secured a certain portion of the patronage and plunder. This kept the Republican leaders quiet, if not subservient, and whenever they made an apparent effort of opposition to Tweed's municipal ticket, it was merely a blind to deceive the public.

You may well wonder, after what I have stated, how such a power could have been broken! It is true that many wise men in those days saw no hope for our redemption. There were a few sagacious, courageous and patriotic citizens, however, who had implicit faith in the majesty and potency of the ballot. These men, aided by the independent journals, boldly called upon the people to assert their rights and protect their property; and when at length they saw their real danger, they went to the polls, and in a few short hours struck a blow that hurled the marauders from power, and crushed to atoms the strong citadel which encircled Tweed and his accomplices.

LETTER V.

BUILDING UP A BOSS—THE TIME AND "SACRIFICES" REQUIRED—TWEED'S EARLY YOUTH AND PIG-TAIL EXPERIENCES—THE STEPPING-STONE TO HIS TWENTY YEARS OF OFFICIAL LIFE—AN INSTANCE OF HIS KINDNESS OF HEART AND GREAT GENEROSITY—HIS TACT AS A POLITICIAN—SHREWDNESS DISPLAYED BY HIM IN SELECTING AND PLACING HIS LIEUTENANTS—WHY HE DESIRED TO SECURE CONTROL OF THE GOVERNORSHIP—HIS EFFORT TO ROUT ALBANY MARAUDERS—AMBITIOUS PLANS HE HAD MAPPED OUT.

MY DEAR DEAN:

It is an accepted saying that "poets are born, not made". Whether this be true or not, I think it is an indisputable fact that Bosses are "made"; and they have to go through a long and arduous process before the evolution produces a first-class specimen, such as graced or, rather, disgraced New York City during the time of which I am writing to you.

The Boss to whom I refer certainly had to do much preliminary work; and make many "sacrifices in the interest of the public," ere he reached the zenith of his fame, as you will see by what follows.

Comparatively little has been given to the world concerning the boyhood of Tweed, who was the youngest and brightest son of Richard Tweed, a chairmaker doing business in New York City. William Marcy Tweed, his second son, was born at No. 1 Cherry street, April 3d, 1823. He was educated at a public school in Chrystie street, near Hester, and after being taught the three "R's"—"reading, 'riting, 'rithmetic," the main requirements of a common school education in those days—learned his father's trade; but he seems to have been taught how to make brushes as well as chairs, for he ran two stores in Pearl street, in 1851,

at which brushes were the specialty. Like all youth of the "male persuasion" during his boyhood, young Tweed was an ardent admirer of the dash and excitement of the Volunteer Fire Department. In whatever part of the City they resided, most school boys of that period became the champions of the engine, hose, or hook-and-ladder company located in their immediate vicinity, and as the nearest apparatus to young Tweed's domicile was that of "Black Joke" Engine Co. No. 33, located on Gouverneur street, near Henry, he displayed his fealty to that company by wearing on his suspenders, where they crossed his back, the figure "33" intaglioed on stitched leather—the custom at the time for men and boys interested in the Fire Department. When about fourteen years old, Tweed, who was large and strong for his age, became the leader of the boys who lived on Cherry street, between whom and the Henry "streeters", (as the active youth on each street then styled themselves), there was a sort of *entente cordiale* because of the admiration of both for the same machine, No. 33, and there were no "streeters" on the East side who could stand up against the combination; nor would they—in the slang of those days—"take water" from any lads of their size and age anywhere in the City, who dared to say a word against their pet company.

At the corner of Fourteenth street and Fourth avenue, there was then a plot of high ground, ten or twelve acres in area, which had been used as an orchard; and this was the rendezvous or playground for East-side boys, especially on Saturday afternoons, and was the scene of many pitched battles between the rival "streeters". If at a fire or elsewhere there happened to be a collision between two fire companies, resulting in fisticuffs, the boy admirers of those companies would take up the fight and challenge the opposing champions to meet them on Saturday at the place referred to, in order to "settle differences."

Young Tweed is said to have been quite a gladiator at this sort of thing. Another specialty, for which he and his young cronies became somewhat notorious, was the stealing, or "hooking", as they called it, of the tails of pigs, which they slyly cut off from the carcasses exposed at neighboring provision stores. They would also "hook" Irish potatoes, and on Saturday afternoons hie to the stamping-ground to which I refer, and then, after roasting the results of their foraging excursions, indulge in a picnic which they enjoyed with all the relish said to attend stolen sweets.

At about the time Tweed reached his majority, Engine Company No. 33, to which he had been so much attached in his youth, and which, so to speak, he had grown up with, was disbanded—a process which was resorted to by the city authorities, in those days, when a company became too troublesome or permitted the rowdy element to bring it into disrepute. His attachment to the fire department service was such, however, that before his twenty-sixth year, or on January 1st, 1849, he was instrumental in organizing Americus Engine Company, No. 6, and so popular was he with his associates that, soon thereafter, he was put in command of the company as foreman, and became their "honored leader."

I am reminded by an old volunteer fireman that while Tweed was foreman of "Big Six" (as the engine was then styled on account of its great capacity for work at fires) that company had many a lusty struggle with Engine Company 8, and when a down-town alarm of fire was sounded, crowds would congregate in the vicinity of the junction of East Broadway and the Bowery, to watch the efforts of the two companies to "pass" each other. No. Eight lay in Ludlow Street, and came down Grand Street and through the Bowery. No. Six lay in Gouverneur Street, and came through East Broadway and thence into Chatham Square, and when the two companies met, the picturesque figure of

Tweed at the head of the well-manned rope of his apparatus, with his fire-trumpet high in the air, rallying his associates and urging them to do their best, the excitement was intense, the cheering of the bystanders furious, as was the enthusiasm of the rival companies when either gained in speed.

His foremanship of "Big Six" seems to have been the stepping-stone for Tweed's political career. His ambition made him Alderman of the Seventh Ward in 1852, which position, as the term was for two years, he also filled the ensuing year. The Board of Aldermen was also the Board of Supervisors then, and while it was said that there were some "lively times" for the Aldermen of that period, in the granting of street railway franchises, such was the character of the men who filled the offices of Mayor and Comptroller that no peculation of the public funds was suggested or tolerated.

Having got a taste of public office and become fascinated with it, Tweed now turned his eyes towards Washington, which in those days was the Mecca of all political aspirants, and before he had completed his first Aldermanic year was nominated and elected as a Representative in Congress in 1852, and re-elected in 1854, serving two terms (four years). But it did not take very long for him to realize—and many would-be statesmen have had similar experience—that "an election to Congress was political death at home," for, unless one has especial fitness for Congressional position and great oratorical power, one soon becomes "unhonored and unsung" at Washington and, as the darkeys say, "no 'count." So, in 1856, finding that the honors of Congressman were, to him at least, like "Dead Sea fruit," Tweed began to prospect at home; and as the only opening at the time was that of School Commissioner, he was "induced" to take even that unprofitable position, and held it during the years 1857 and 1858. Prior to this, he had entered

very vigorously into the Presidential campaign of 1856, when James Buchanan was elected over the dashing "Pathfinder," John C. Fremont, who ran as first representative of the "Free Soil" or Republican party; and on the occasion of Buchanan's inauguration as President, on March 4th of the following year, among the most picturesque of the clubs and associations which visited Washington, to participate in the usual ceremonial parade, was "Big Six" Engine Company from New York, with the commanding figure of ex-Congressman Tweed, in fireman's full rig, marching at the head of his companions who manned the rope—"the observed of all observers," and feeling himself every inch as important a man as "Jeems" Buchanan himself.

The make-up of the Board of Supervisors of the County of New York was changed in 1857, and, instead of the Aldermen officiating as Supervisors, the new law provided that the Board should be composed of twelve members to be elected on a general ticket—six only to be elected by the Democrats and six by the Republicans. In order to keep up this bi-partisan arrangement, it was further provided that two members should retire every year, and two new members, one of each party, be elected in their stead. It so happened that it was Tweed's lot, he being one of the six Democrats elected in 1857, to remain during the whole five years contemplated by the law as a member of that Board of Supervisors. In 1863, the law being again altered to make the term of office of Supervisor six years, Tweed was re-elected, was president of the Board in 1863 and 1864, served until the expiration of his term in 1868, and was then re-elected, serving as president of the Board in 1869, and remained as a member until July 1, 1870, when his term of office as Supervisor was cut short by a change made in the charter of 1870, which abolished the then existing Board and returned to "first principles," making the

Board of Supervisors to consist of the Mayor, Recorder and Board of Aldermen. So it will be seen that for a period of thirteen years, from 1857 to 1870, Tweed was a member of the Board of Supervisors, and during the most of that period he served on the more important committees, such as "Annual Taxes," "Taxation of Incorporations," "Court House," "Armories and Drill Rooms," all of which were regarded as what the members of the typographical fraternity would designate "fat takes."

During this period of thirteen years (was the "thirteen" unlucky and prophetic of disaster?) while Tweed was acting as Supervisor, he demonstrated that he did not wish to shirk any public duty required of him. Besides being Supervisor, he filled the office of Fire Commissioner during the years 1860 to 1864; and then, still further to show his willingness to "sacrifice" himself for the benefit of the public, in addition to the offices of Supervisor and Fire Commissioner, he took upon himself the onerous duties of Deputy Street Commissioner, under Commissioner Charles G. Cornell, during the years 1863 to 1865, which Department had at that time control over all improvements of streets as well as of the wharves and piers, but had nothing to do with street cleaning.

In the Corporation Manual of 1866, Tweed is classified as "lawyer." Prior to this time his occupation doubtless might truly have been classed "politician," for he had long ceased to be a chairmaker. Be this as it may, having ceased to be Fire Commissioner, although he was still Supervisor, Tweed to keep himself "busy" began to turn his eyes towards Albany, and in 1867 sought and secured the nomination for Senator; was elected; re-elected in 1869, and again in 1871; and "thereby hangs a tale," of which I shall have more to say in subsequent letters.

I have gone somewhat into detail regarding Tweed's early life and his political training, not only because of

their peculiar interest, but in order to emphasize the assertion made at the beginning of this letter, that Bosses differ from poets, in being "made." I shall not claim that Tweed's pig-tail performances in early youth indicated any evidence of the "statesmanship" of his after-life (for, when, in his days of trouble, he was enrolled as a convict at Blackwell's Island, he gave his occupation as "statesman"). The pig-tail mischievousness was a prank of early boyhood, "just for a lark," with no idea of dishonesty; but it will be seen that from the year 1851, when he first became foreman of an engine company, till 1871, when his political career came to an end, he was in a "continuous performance" of official duties; and the early seeds of Bossism which began to bud in his aim for the position of foreman of an engine company, blossomed and gained strength and glory in every political position he afterwards held, and culminated in his becoming a "real, bonafide, genuine original Boss" (with a big B) in January, 1868, when he first set his foot in Albany as Senator from the great City of New York, the acknowledged head and front of the Democratic organization of the metropolis, respected and honored (because feared) by all the leading lights of Democracy (Tilden, Seymour, Church and others) in this State, and holding within his grasp all the power and ability, rightly directed, to have made himself a great man not only in New York but in the country at large.

William M. Tweed was a man of rather commanding presence, standing fully five feet eleven inches in height, and weighing nearly if not quite three hundred pounds. His complexion was slightly florid, his features large, and there was always a merry twinkle in his eye when in the company of those he knew to be his friends; a warmth in his greeting, and a heartiness in the grasp of his hand, which were reassuring to those properly introduced to him. He had a sympathetic heart, and those who knew him inti-

mately knew that his deeds of kindness and charity were almost numberless. He was a man, too, of generally correct habits. While of a social disposition, and fond of entertaining his friends, he scarcely ever partook of more than a sip of wine when extending hospitalities, and never permitted strong drink to get the best of him; neither did he have the tobacco habit. He was scrupulously careful concerning his attire, while never striving to make a show of dress. He was always suave and polite in manner, and while clinging to his friends with hooks of steel, was vigorous and most determined in his conflicts. There was nothing boastful or cowardly in his make-up, as was shown by the manner in which in 1871 he faced, single-handed, the fierce public denunciation of the Ring of which he was the actual head and front, although that position had always been conceded by Tweed himself to Peter B. Sweeny, who, while keeping as much as possible in the background, acquired the cognomen of "Peter Brains" Sweeny in recognition of his admitted ability.

As an instance of Tweed's kindly disposition and his generous private aid to the poor, his Christmas contribution of $50,000 for the relief of distress in the Seventh Ward, in 1870, deserves mention, not only for the magnitude of the gift, but for the manner in which it was bestowed. When the Committee in charge of the fund had received a considerable sum, including some subscriptions of $1,000, Judge Shandley called upon the Boss and asked him to attest concretely his sympathy for the good work in his native Ward.

"Certainly," said Tweed; "you can put me down for my share."

"Put down the figures yourself, Mr. Tweed," replied the Judge.

Seizing the pen, Tweed wrote his name on the subscription list, and opposite it he set the figures $5,000.

"Oh, Boss, put another nought to it," said Shandley, half in jest and half in earnest.

"Well, well, here goes!" said Tweed, in his quick way, adding another nought to his gift, and handing the paper back to Shandley.

It is easy for any stern moralist to mutter "cheap liberality," and to hint that Tweed was making a shrewd investment. I am no apologist for Tweed's wrongdoing; yet one can scarcely help regretting that some "statesmen" who since his time, although in a different way, have fattened at the public crib, have sedulously avoided emulating the openhandedness of the original Boss. It may be imprudent nowadays for a Boss to call attention to great wealth suddenly amassed in politics; emphatically so, if one has had no other visible source of income; for insolently inquisitive newspapers and busybodies are prone to cackle "Where Did He Get It?"

But, aside from the personal surroundings of Tweed, to which I have referred, there were other conditions which, perhaps as much as his own ambition, contributed to the building up of that one-man power of which he was so typical an embodiment. The enormous expenditures and waste of the strife between the Northern and Southern States, known as "The Civil War," which existed for more than four years after its outbreak in 1861, and the vast issues of paper currency which it rendered necessary, stimulated every industrial pursuit in the country. New York City in a special manner felt the influence of the new order of things. Wages of every class of workers, whether with brains or hands, were suddenly and largely advanced. The prices of every product of the workshop were raised; the plentifulness of money increased the number and ability of purchasers; manufacturers enlarged their premises and plants; new establishments sprung up in abundance to meet the increasing demand; arts of every kind felt the influence

of "flush times;" and in the midst of this industrial millenium the politicians of both parties joined in the general activity, and flourished "like green bay trees."

In 1866, the Republican party leaders, while busy at Washington in perfecting plans to secure control by "reconstruction" of the Democratic Southern States, and rule them with carpet-baggers from the North, also endeavored, through legislation at Albany, to secure control of this Democratic stronghold, our Empire City; and in order the better to accomplish this purpose, the plan was conceived of adding adjoining counties to New York County, calling the area "a Metropolitan District," and passing "reconstruction" laws known as the "Metropolitan District Police Act," the "Metropolitan Excise Law," and "Metropolitan Health Act"—the district to be governed by Commissioners named in the acts or to be appointed by the Governor of the State, a Republican. The Democrats of New York strongly resented this interference with home rule, and, instead of Republicanizing New York City, this proceeding really augmented its Democratic majority, and arrayed against the Republican party almost unanimously the members of the extinguished Volunteer Fire Department (which was legislated out of existence in 1865), as well as the saloon keepers of the city, who had been harrassed by a puritanical enactment, for under the "Metropolitan Excise Law" was first introduced a system of espionage and a vexatious tyranny which exasperated to desperation thousands of orderly, well-behaved citizens and taxpayers who were victims of spies and subjected to persecution.

In all this Tweed saw his opportunity, and, as the head and front of the Democratic organization, took strong grounds against these "encroachments upon the liberties of the people." In the canvass for 1867, every Democratic County and Judicial officer placed in nomination, as well as

the four Senators and seventeen Assemblymen to which the city was then entitled, were elected by what was called "rousing majorities." That was the response of the metropolis to the Republican attempt to capture it.

To further his ambitious plans, Tweed had succeeded, in 1857, in placing on the Democratic County ticket his friends George G. Barnard, for Recorder, and Peter B. Sweeny for District Attorney, both of whom were elected; and thus originated a political junta, which grew year by year in influence and power, and was the germ of a combination that became almost invincible.

At the expiration of Recorder Barnard's term, on December 31, 1860, he was advanced by Tweed to the Supreme Court Bench, having been elected in November of that year, which position he held for ten years, until removed by impeachment—of which and of its subject I shall have more to say in another letter; for Judge Barnard figured very prominently in the public eye; was, in fact, always a moving panorama of his time. I speak of him in this place only to show how shrewdly the developing Boss acted in locating his men on the political checker-board, so as to entrench himself and add to his power.

During the second year of the Civil War, the Republicans, under the influence of the war feeling, had succeeded in electing their candidate for Mayor of this city, George Opdyke; but at the end of his term, the Democrats regained possession of their stronghold, in securing C. Godfrey Gunther as Mayor, and Matthew T. Brennan as Comptroller. The City was at this time (1864) expending immense sums of money for volunteers, to fill its quota under the several calls of the President for additional troops, and the Board of Supervisors had the handling of these expenditures. Rumors were current of "divvies" being made, and of bargainings by Tweed with the Republicans in the Board of Supervisors. But he resented the charges, and claimed

that his friendly relations were simply those of policy—the making of the best terms possible with the Republican State leaders to protect Democratic interests in the metropolis.

John T. Hoffman, a very popular member of the New York Bar, who filled the office of Recorder after Barnard's promotion, was then brought into the field by Tweed, who could not use Mr. Gunther (a somewhat "impracticable" and inharmonious chief magistrate, not of his political stripe). Hoffman was placed in nomination for Mayor in 1865 and elected.

Tweed now turned his eyes toward the State. The Republican Legislature had from time to time given the Democratic City government a great deal of trouble concerning the annual "Tax Levies"; for at this time there was no Board of Estimate and Apportionment, which has now full control over all moneys needed for municipal purposes, but all authority to raise moneys for municipal expenses had then to be obtained at Albany. In these so-called "Tax Levies" were omnibused all appropriations for City expenditures, and as it was naturally conjectured by the lobby at Albany that in these annual bills there were always many "little jobs with meat in them," they found their passage through both branches of the Legislature and their approval by the Governor more or less difficult of attainment, according to circumstances. It was sometimes perplexing, even to the skilled mind of so experienced a manipulator as Tweed had now got to be, to "protect the interest of the people of his city against the marauders at Albany," as he used to express it. Now he determined, if possible, to spike the guns of the enemy by capturing the Governorship of the State. Mr. Hoffman had made a very acceptable Mayor both to the people and to "the powers that be," and Tweed decided to place him in the race for Governor in the canvass of 1866. The Republicans, how-

ever, were too strongly fortified, and too liberally supplied with the sinews of war; besides, residents of the interior of the State, who had been schooled during the war to believe all Democrats "copperheads," were not yet prepared to trust a representative of that party in the Gubernatorial chair; so Mr. Hoffman failed of an election; but his Mayoralty term did not expire till the end of another year. And here I may add, as one of the striking peculiarities of the 1866 canvass in New York City, that Horace Greeley, the distinguished editor of the *Tribune*, was a nominee for Representative in Congress, and was beaten; while John Morrissey, an ex-prize fighter and a notorious gambler, then made his debut as an aspirant for public honors, and was chosen to fill a seat in Congress.

Nothing daunted by this check in his advances toward the Republican stronghold—the capital of the State—which Tweed realized in the defeat of his candidate for Governor in 1866, he determined in 1867 to secure the Comptrollership of the City for Richard B. Connolly (formerly County Clerk), and to make a bold attack upon the Legislature itself. Accordingly, in that year he sought and obtained a nomination for Senator, and (as already stated) was of course elected, together with four more Democratic Senators from the City, whom he believed he could "handle," and when thus entrenched with power, he felt it would be easy for him, as the acknowledged Boss, to manipulate matters so as to secure the election of his favorite candidate for Governor at the next ensuing Gubernatorial election in 1868. In this he was successful. And the further programme as mapped out in the mind of this American Macchiavelli, the now almost absolute political dictator of the Empire State, had it not been "nipped in the bud" by the Ring disintegration of 1871, (of which I shall have something of especial interest to say in subsequent letters) was that John T. Hoffman, then Governor, should become President in 1872;

that A. Oakey Hall, then Mayor, should become Governor; that Tweed himself should fill the position of United States Senator at the first vacancy; that Connolly should man the New York fort in the office of the Comptroller (because there "was money in it," which he liked;) while Peter B. Sweeney, who had no taste for public office, was to remain "the power behind the throne."

Such were the forecastings whispered at Albany on the eve of the adjournment of the Legislature, in the Spring of 1871, and every Democratic member of the Senate (seventeen of the thirty-two members were Democrats) was personally urged to use his best endeavors to return to the Legislature to be elected that Fall, so as to help preparations for the ensuing Presidential campaign. But, as Burns says:

> "The best laid schemes of mice and men
> Gang aft agley."

Ere six months had passed, Tweed and his confreres, so potential at the period referred to, were routed, dethroned, destroyed; and by reason of the wide influence of the exposed rascalities of Democratic office holders, the Democratic vote not only in this City, but in this State, was thoroughly demoralized, and in the Legislature that was elected in 1871 instead of there being seventeen Democratic Senators, there were only seven!

But, had not this upheaval taken place, had Tweed's ambitious purposes been carried out as foreshadowed, and had Connolly taken a notion to "swap" the position of Comptroller of the City of New York for that of Secretary of the Treasury under President Hoffman, the Astors, the Vanderbilts, the Goulds and the Rockfellers would no doubt have been very "small potato" millionaires compared with the great and glorious "Slippery Dick."

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A. Oakey Hall.

LETTER VI.

EXTENDING NEW YORK TACTICS TO THE SUBURBS—HOW GREEK MET GREEK AT HIGHBRIDGEVILLE—PROPOSED ATTEMPT OF RUFFIANS TO RAID A PRIMARY MEETING CHECKED BY A LOADED CANNON—COLONEL MOONEY'S VICTORY AND HOW HE BECAME MASTER OF THE SITUATION—A SQUARE DEAL THAT WAS NOT INTENDED—HOW THE COLONEL BEAT THE "MACHINE" AT ITS OWN GAME.

MY DEAR DEAN:

The "methods" of New York City politics and politicians, which are such a marvel to foreigners, such a mystery to people generally who have never assisted therein, and which I endeavored to explain in a preceding letter, can perhaps be best understood by the introduction of a few instances, of actual occurrence, to furnish practical illustration of some of the incidentals of "machine" work.

When the inventor of a new device in mechanism desires to show the merits of his invention, he always aims to make the test of its efficiency under the most favorable conditions, and to this end he selects as the field for the experiment some place where his apparatus may appear to best advantage by contrast with old contrivances. In like manner, I propose to take you over virgin soil, where the methods of the Tammany machine were unknown, and where up to the period of which I am about to write, old-time, simple political methods prevailed in party management, which were ruthlessly brushed aside by the advent of new tactics.

The people of the upper Wards of this metropolis knew little of the inside of New York City politics until the arrival of Colonel James J. Mooney in their midst in 1867. Prior to that time the Old Town of Morrisania, now the Twenty-third Ward, although it had grown out of its swad-

dling clothes and had taken on garments somewhat resembling those of the metropolis (being under the government of a Board of Trustees, the members of which were invested with all the powers and authority of a Board of Aldermen), were still distinctively "country" in all the methods pertaining to elections, and such a thing as a row, or a "double shuffle," at primary or caucus had never been known. In the adjoining town of West Farms (now the Twenty-fourth Ward) which at the time referred to had made no advances city-ward, the usages forming the incidentals of elections in all other parts of the State still prevailed. In obedience to the call of the State Committee for a State Convention, the officers of the last Assembly District Convention would issue a call for an Assembly District Convention, and in response thereto the officers of the town caucus of the preceding year would advertise a call for a town caucus to select as many delegates as the town was entitled to, to represent the locality in said Assembly District Convention; which authority (to insure regularity) was always given to the officers of a preceding town caucus, as also to those of an Assembly District Convention, a County Convention, a Congressional, a Senatorial, or a Judiciary Convention.

The rural way of choosing inspectors of elections was to elect them annually at the same time that town officers were elected, in the month of March, when each of the parties (Democratic and Republican) voted for two inspectors, and whichever of the inspectors named on the minority ticket received the larger number of votes was, by law, appointed the third inspector, charged with the duty of counting the ballots at the next ensuing general election in November.

This system, you will see, conferred ample power upon the people to choose those entrusted with the charge of counting the ballots: there was no "cut and dried" busi-

ness there. But in Morrisania, then half-city and half-country, as the town was divided into Wards so that each section might be represented in the Board of Trustees, a separate election was held in the month of June for the choice of these officers; and the inspectors of election for each Ward, as well as the places for holding the election, were according to law to be selected by the Board of Trustees, and by courtesy the authority for making this choice was conferred upon the individual Trustee from each of the Wards.

Colonel Mooney was born and brought up on the North River side of the city, and claimed to be a direct descendant of William Mooney, who (as told in a preceding letter) organized the Tammany Society in 1789. Like almost everybody who had figured in city politics in those days, the Colonel had been a "fire laddie" and a somewhat lively boy, but he had profited by his experience and developed into a self-made man, of strong character, whom everybody liked, and who prided himself on meriting the confidence he inspired.

When the Civil War broke out, Colonel Mooney was among the first to declare himself in favor of upholding the Union, organized a company, and was commissioned as captain in the "Tammany Regiment" which, under the Colonelcy of William D. Kennedy, marched to the front and took part in the campaign of Virginia. During the service Colonel Kennedy died, and, when the war was over, Colonel Mooney rode home in command of a veteran regiment, he having reached that rank through promotion for bravery and good conduct.

A year or two after the close of the war, the Colonel opened a hotel near Highbridgeville, in the suburban town of Morrisania, and ere long, from old associations in the metropolis, he drifted into politics, making his entree as aspirant for the office of member of the Board of Trustees

(or Alderman) from his Ward, then a sparsely inhabitated district. To this position he was elected. The term of service was only for one year, and when he made it known that he would be a candidate for re-election, a rival sprang up in the person of one William Florence, also a well-known hotel-keeper; and their professional as well as political rivalry led to the introduction of certain New York political methods in that previously quiet and demure locality.

A Ward nominating Convention was called, through the instrumentality of the Colonel, to meet at his own hotel. To this move Florence took exception, as giving the Colonel an unfair advantage, and he made up his mind to counteract it by strategy and force. So he very quietly (as he thought) hired a gang of some seventy-five men, including his own employees, who were to assemble near his hostelry at about the time stated in the call for the assembling of the Convention, march in a body to the meeting place in Mooney's hotel, take possession of the room, refuse admission to Mooney's friends, and then and there nominate Florence instead of Mooney. But the plan was divulged and got to the alert ear of Colonel Mooney, who determined to "block the game." In front of the Colonel's hotel was a high flag-staff, and at the base of the staff was a cannon of considerable size—a relic of the war—which the Colonel's regiment had captured in one of its battles. During the day set for the Convention, the Colonel heavily charged this gun with powder, filled it almost to the muzzle with broken bottles, flints, scrap-iron, and kindred missiles, and then located the cannon so as to command the only open highway by which his opponent's gang must come in their march to his hotel. Having thus fortified himself, the Colonel, at about 7 o'clock in the evening, sent a trusty messenger to his opponent, to state that the plans for attacking the Colonel's premises and seizing the Conven-

tion were fully known; that the Colonel had made preparations to defend the citizens of his district "in the free exercise of their right to choose a nominee"; that, if Florence persisted in carrying out his scheme to besiege the Colonel's hotel with a gang of hired ruffians, the Colonel would shoot them down like dogs; that his artillery was loaded and prepared for the emergency, and that, due notice having been given, upon Florence would devolve responsibility for the proposed outrage and the resultant carnage.

Florence despatched scouts to see what Colonel Mooney's messenger really meant. Upon their return and report, Florence, concluding that discretion was the better part of valor, sent orders to his reserved forces that their services would not then be needed. The result was a notably peaceable and well-conducted Convention, and the unanimous nomination of Colonel Mooney.

This *coup d'etat* on the part of the Colonel made him undisputed Boss of the election district in which he lived, and no further attempt at rebellion was evidenced, more particularly as the Colonel thereafter permanently established "the New York system" in his district. Whenever it was necessary to select delegates to a Convention, after he, as the representative from his Ward, had appointed his inspectors, he simply wrote out a list of delegates, sent for the inspectors, treated them in royal fashion at his hotel, made out then and there a "certificate"—in New York style—that the persons named on his list were the duly elected delegates, put the whole machinery, so to speak, in his inside pocket, never troubled his neighbors to attend any primary at all, but instructed the "delegates" he had chosen to attend the Convention as called, and to cast a unanimous vote for such candidate or candidates as he might favor. It is obvious that this procedure made the Colonel master of the situation. Such methods, universal

at Primary Elections in this city, were not only novel to the simple people of the Highbridgeville district, but they had the charm of success about them. Believing in his invincibility in politics, a large number followed the Colonel's fortunes, and he, almost at a spring, became the unquestioned leader, and was termed, as a compliment to his dash and recklessness, "the Ollagawalla Chief"—which name followed him until the day of his death, a little more than a year ago.

Another characteristic primary in which Colonel Mooney figured and which, although not so intended, resulted in a "fair and square" election, is worthy of passing mention. The first election for Alderman from the Twenty-third and Twenty-fourth Wards, under the Act of Annexation of the towns of Morrisania, West Farms, and Kingsbridge to the City of New York, occurred in the fall of 1874. Colonel Mooney was the unanimous choice of the Democracy of the Twenty-third Ward for the nomination, but, as at that time the Aldermen were elected from districts corresponding with the Senatorial districts, which comprised five or six Assembly Districts or Wards, the preference of a single Ward did not count against the edict of Tammany's Boss, who, it was understood, had decided that a personal favorite should be nominated for that position. Yet, fearful that the Colonel might, because of his personal popularity, "get away" with the nomination in spite of orders to the contrary, it was determined to head him off in his own Ward. Being then a part and parcel of the City of New York, old town methods were of course obsolete, and, instead of Primaries in every election district, a single Primary was held in the Ward, as in all the Assembly districts of the City. This being the first Primary held since annexation, the machinery was to be worked from the headquarters of Tammany Hall in Fourteenth street. To make everything "look square," however, each of the aspirants

for the Aldermanic nomination was accorded a representative in the trio of inspectors selected, and assurances were given out that there was going to be "a square deal." But "under the rose," something entirely different was mapped out.

Colonel Mooney was so popular that he had friends all over the City; and one of a gang of roughs, numbering about one hundred, who had been engaged "for that night only," as soon as he ascertained that he was to work against the Colonel, to whom he was devoted, straightway informed that gentleman.

"All right!" said the Colonel; "I'll show 'em that two can play at that game."

He went to work at once. He could not call into play a cannon, as he had done on a previous occasion when conditions looked desperate; but he got together what answered his purpose equally well. Ex-District Judge Gus Hebermann had become a resident of the Twenty-third Ward, and to him was entrusted the job of "doing up" the Colonel. The polls were to be opened at 8 o'clock in a place then known as Morrisania Hall, on Railroad avenue near One Hundred and Sixty-seventh street. Shortly after 7 o'clock Gus Hebermann sauntered along Third avenue to one of the large brewery establishments located near One Hundred and Sixty-sixth street. This was the place of rendezvous he had appointed. The men put under his command by the Colonel's rival were on hand. Hebermann, who was a pompous character, with a deep, growling voice, entered the brewery with a swagger, and in the presence of his henchmen took from his pockets a package of money, his massive watch and chain and other articles of value, and with a frowning and determined countenance, ostentatiously placed them in charge of the proprietor for safe-keeping. This was intended to show that he was making suitable preparations for a terrible encounter with "Ollagawalla"

Mooney. He then, with a stern face, invited the gang that he was to lead in battle to "take something," during which performance he, with the air of a commander-in-chief, gave instructions, the most important being that every one of his men must vote at least five times, hailing from the several breweries of the town, of which there were a dozen, and giving different names if required when voting. To inspirit them, he added that he was going to give the Colonel "an elegant surprise party."

Like the cautious general that he was, Hebermann announced that he would go and reconnoitre, leaving his men behind. When he reached Morrisania Hall, he was amazed to find its doors surrounded by a gang of the most notorious cut-throats and ruffians that could be raked and scraped together from the North River side of the city, while Colonel Mooney was seated on the railing of the piazza, coolly smoking a cigar. Observing Hebermann approaching, the Colonel saluted him with: "How are you, Gus? Well fixed for to-night—eh?"

"What do you mean?" asked Hebermann, while a couple of the Colonel's most ferocious-looking hirelings walked towards Gus, waiting for a signal to begin operations.

"Well," replied the Colonel, "I understand all about your game; I am prepared for you—see? If you bring your gang of repeaters to interfere with a fair election at this poll, you can bet dollars to doughnuts there will be work for the Coroner over more than a dozen of them."

"That's so," exclaimed the leader of the gang hired by the Colonel, "and for two pins I'd make d——d short work of you—d'ye hear that?"

At a look and a shake of the head from the Colonel, the gladiator desisted. Hebermann, who had been quite a "rounder" himself, could see, from his knowledge of the men Mooney had got together, that the Colonel "meant business," and, putting on an air of careless innocence, as-

sured him that he was entirely mistaken and that the story told him was false, and so forth; but at the first opportunity he sent word by one of his accompanying scouts that none of his men should leave the brewery until he returned; then waited around the poll till he had deposited his ballot, and retired from the scene of action, subdued and crestfallen. The repeaters did not, of course, make their appearance at the Primary, but they got their fill of beer, and next morning more than a dozen of them found themselves at the police station, not a few of them with blackened eyes and bloody heads, for, there being no work at the Primary for the Colonel's men to do, they straggled around town, and wherever they came across a chap they knew to have been hired for the opposition, they had "some fun" with him.

LETTER VII.

THE OLD VOLUNTEER FIRE DEPARTMENT AND ITS FASCINATION—HOW IT DIFFERED FROM THE PRESENT FIRE SYSTEM—GOOD CONDUCT OF THE "OLD BOYS" WHEN DISBANDED—HOW THEY USED TO "AMUSE" THEMSELVES AFTER A FIRE—A MELÉE IN WHICH SENATOR "DAVE" BRODERICK LOST HIS FIRE CAP—HARRY HOWARD'S LOVE ROMANCE, AND HOW HE MADE MAYOR FERNANDO WOOD ACT "SQUARE" FOR ONCE—THE RELIC OF THE VOLUNTEER DEPARTMENT IN MOUNT MORRIS PARK.

MY DEAR DEAN:

To one who takes an interest in the study of character, and desires to extend his knowledge of men and things, I know of no position more advantageous than that of a member of the Legislature of the State of New York, and especially that of a member of the popular branch of that body. The term of office of a member of the Assembly is only one year, and, consequently, while there are instances of members being returned two, three, or more years in succession, one may safely calculate to meet at least seventy or eighty new faces every year upon the assembling of the members of Assembly "on the first Tuesday after the first Monday in January." Coming from all parts of the State, representing almost every avocation, and almost every condition of men, the *tout ensemble* affords, as I have stated, a very interesting group for the student of human nature.

One of the most interesting members who answered to the roll-call of the Assembly clerk in 1868 was John Decker, of Richmond County, "the Chief" as he was designated, because he was the last acting Chief Engineer of the Volunteer Fire Department of the City of New York,

an institution to which I have had occasion to refer in previous letters, and around which cluster memories of especial interest to New Yorkers of fifty years of age and over, and a brief reference to which, I cannot help thinking, will be entertaining to you.

John Decker, at the time I first knew him, was about forty years of age, of fine physique, good moral character, and strong common sense. He had won no diploma from university or college. He had an honest-looking face, impressive features, and the sole peculiarity about him was a wedge-shaped goatee, which, starting about an inch in width from his lower lip, widened like a fan until it almost concealed his necktie as it rested on his shirt-bosom about four inches from its starting point. No matter what subject Decker might start to converse upon, he always wound up with some reference to the Volunteer (or "Wolunteer" as he insisted upon pronouncing it) Fire Department. He had had thirty years' experience, man and boy, in that branch of the public service, including seven years as an Assistant Engineer and five years as Chief Engineer; and while never boastful of his exploits, his eyes always sparkled with pleasure and satisfaction if you should utter a word of praise while looking at a gold medal he always carried with him, which had been given him by the Common Council of the City for saving the lives of two children from a blazing factory in December, 1863. In commemoration of this deed he afterwards also received a silver trumpet from Engine Company No. 14, of which he was an ex-member; and the presentation address at the Chief's house was delivered by Rev. Dr. Burchard, the same reverend gentleman, I believe, whose remarkable speech, denouncing the Democracy as "the party of Rum, Romanism and Rebellion," no doubt lost the Presidency to James G. Blaine, when running for that office in 1884, against Grover Cleveland.

Mr. Decker's immediate predecessor, as Chief of the Volunteer Fire Department, was Harry Howard, who had filled that position from 1857 to 1860. He, too, had served seven years as Assistant Engineer before promotion, and gave, altogether, twenty-five years of his life to his idolized institution. When about forty-five years old he had to retire from active service because of an attack of paralysis, which occurred on his way to a fire and which left him permanently crippled. He was one of the best-known men in New York, and the last public parade in which he took part was that of the Columbus Anniversary in 1892, when, a division having been set apart for them, the old fire-fighting veterans of the metropolis, headed by the yet stalwart form of Harry Howard, limping along over the five-mile route of the procession, elicited a five-mile roar of cheering from the populace, who still revered the memory of the Volunteer organization and honored its old Chief.

What, you may ask, was the attraction in the old Volunteer Fire Department, which could induce Decker and Howard and thousands of other well-known citizens to give up so many years of service to it, and without compensation in any position except that of Chief Engineer? From time immemorial the Fire Department of this city has been invested with a fascination irresistible alike to old and young. In the archives of the city is a memorial, dated January 11, 1753, referring to the New York firemen, which may answer your query regarding the Volunteer Fire Department of more modern times. Here is what the memorial says:

"It is a common observation that the firemen of this city are remarkable for their agility in extinguishing fires. And since so judicious a poet as Virgil hath compared the industry of the Tyrians to the labors of the bee, I think the amazing celerity with which the firemen cluster together at the ringing of the fire bells may be fitly resembled to the swarming of those curious insects at the sound of the instrument used for that purpose. To pursue the simile, there is not a drone among

them, but rich and poor are alike indefatigable in preserving their neighbors' property from the devouring flames. It is an universal hurry and incessant activity; nay, they have often exposed themselves to the peril of their lives and performed feats almost surpassing comprehension and belief. They toil with unwearying diligence, and seem insensible of the danger which threatens them. In a word, they stand up in the midst of flames as unconcerned Salamanders, mocking at fear, and striving to outvie each other in suppressing the general calamity—a noble emulation and worthy of the highest eulogium."

All classes and conditions were represented in the ranks of the Volunteer Firemen. The mechanic and the son of the wealthy merchant were indistinguishable under the volunteer's heavy fire-cap, and endeavored to surpass each other in labors and daring. College graduates, lawyers and bankers drew the silver-mounted carriage of their favorite hose company to the scene of peril, and butchers and brokers, blacksmiths and dry-goods men did brave work amid the flames, in obedience to the orders of the chief in command. A fireman had to keep himself prepared at all hours, day and night, to respond to an alarm of fire (which was heralded by alarm bells stationed in different parts of the city as well as on the City Hall), and had to run to the engine-house, or after the engine if it had left for the fire. A fireman would sleep with his bedroom window partly open, with his fire clothes at his bedside, and with his ear trained to hear the first stroke of the alarm bell; would arise in great haste and rush, only half-dressed, to the street, with his coat on his arm, and finish dressing while he sped to the engine house. And, remember, that all this service was voluntary, the satisfaction of duty well-performed being its only reward, apart from the incidental excitement and the pride every man felt in his favorite apparatus—which seemed to be "all the world" to many of them. And then the firemen's parades. "How attractive they were!" writes an enthusiastic admirer of the old Volunteer Department: "What a magnificent polish the engines took; how lavishly they were garlanded with flowers; and how joyful

were the long lines of red-shirted fire laddies who manned the ropes, and were the cynosure of the admiring eyes of all feminine Gotham. The men who carried the trumpets were the conquering heroes of the day and the envy of every boyish beholder."

It seemed a pity that an institution so popular as was the Volunteer Fire Department, should have been superseded. But, with the rapid growth of the city, and its gigantic strides in population, the duties of the firemen became more and more exacting, and besides, in later years, the department in certain sections of the city had drawn around it a rough set of "runners" and rowdies, who were gradually bringing the time-honored institution into disrepute. And so a bill establishing a Paid Fire Department in the City of New York was passed by the Legislature on the 30th of March, 1865. It was predicted by the opponents of the measure that the whole Fire Department, about four thousand strong, would resist the enactment, or in a body resign, throw up their apparatus, and make possible a calamitous destruction of property should a fire ensue. But, so far from acting in any unruly manner, the members one and all exhibited the best spirit, and submitted cheerfully to the changed conditions.

One peculiarity of the Act creating the Metropolitan Fire Department was that it prescribed the style of uniform to be worn by the officers and men. The uniform of the Chief Engineer, it was then provided, "shall be a red flannel shirt, made double-breasted with rolling collar, dark blue pilot cloth coat, in length to reach to and not below the knees, with pantaloons of the same material, with fire cap, of the New York cone style, with gilt front and a device of a steam fire engine, with the word 'Chief' in the arch above, and the initials of the wearer under, the device and lettering to be in black." Officers and members of companies were to be dressed in the same style, except

that they had to wear black (instead of white) leather fire caps, with the letters "M. F. D." in the arch of the front. This curiously worded Act further provided that "racing to fires" was prohibited; and "if the apparatus of several companies proceed on the same street to or from a fire, they shall do so in single file."

Of course, there was no incentive to "racing" in the paid Fire Department, for horses took the place of men, and there has never been a race since the new Department was organized. But while the existing organization lacks the incentive and license which made the Volunteer Fire Department so fascinating to its members, there is no dispute that it possesses incomparably greater efficiency than the old system; and New York can to-day, with justice, boast of an organization unequalled in the world for ability, activity, intelligence and cool courage. But the paid firemen have few such hardships to contend with as the volunteer firemen had. They sleep at the engine house, ready for an alarm of fire by the telegraph in the house. They slide down a brass rod to the engine floor, get on the engine or tender, and, with well-trained horses, are soon at the fire; and, after attaching hose to the hydrant, they have steam to do all the work of throwing water on the fire to extinguish it. The men go home with the engine, as they came, and find a pleasant place to rest. It was not so with the Volunteer firemen, as I have shown.

On the night of October 13, 1860, a few years before its disbandment, the Volunteer Fire Department of this city gave a grand torchlight parade in honor of the Prince of Wales, when nearly five thousand uniformed firemen, with their profusely decorated and illuminated machines, marched past the Fifth Avenue Hotel, from nine o'clock until eleven, and were reviewed from the balcony of that establishment by the eldest son of Queen Victoria. Almost every man held a torch in his hand, hundreds of rockets

street. So well had Hazleton drilled his men to conceal their hostile intention from 34's company, that the latter felt, up to the very moment when the "charge of the light brigade" was made on them in Hudson street, that there would be no "fuss" that day; that No. 27's boys had got enough at the last encounter to satisfy them; and, secure in such confidence, "Dave" Broderick, foreman of No. 34, was walking along a little distance in the rear of his engine, on its return home, when, suddenly, someone from behind knocked his firecap from off his head. Turning quickly, he saw a big, strapping fellow, with the figures "27" on his shirt front, who, as Broderick made an effort to secure his cap, jumped upon and threw him to the ground, and then, with a wild war-whoop of victory, picked up his fire-cap and ran off with it as a trophy.

What his enemy's scalp was to an Indian, the fire-cap of an opponent was to a fireman fighter; it was a trophy of his foe's defeat, a badge of his own glory. As Broderick's assailant, on the run, held the captured fire-cap aloft and gave a yell of triumph, as if this were a preconcerted signal, No. 27's "fellows" rushed the fight all along the line, and the "engagement was general." Broderick never felt so badly in his life. He had been taken completely by surprise—by a "fire in the rear," as it were; and as he gazed upon the lively melee ahead of him, he felt like Sheridan, in Buchanan Read's poem, "miles away." Bareheaded as he was, he threw himself, trumpet in hand, into the midst of the fray, hoping to transform threatened defeat into victory; but he did not; he could not. No. 27's leader had laid his plans too well; Ely Hazleton was "too many" for him. After about half an hour of terrific fighting, resulting in broken bones, broken heads, and one fatal injury, No. 34's fellows were bodily driven from the scene of conflict, leaving their apparatus behind them. It was a Waterloo defeat. No. 27 had had its revenge.

Next day there was a grand jubilee at the headquarters of Engine No. 27, in Desbrosses street; while, with fife and drum to lead the way, Ely Hazleton and "Dave" Broderick's assailant, arm in arm, bearing aloft on the top of a pole "Dave" Broderick's fire-cap, piloted the fighting element of No. 27 in a parade around the vicinity of the house of their favorite engine, and past the engine house of No. 34, as if inviting somebody or anybody to "tread on the tails of their coats." For a climax they fastened the pole, (surmounted by their trophy of victory), on the top of their engine house, with three cheers and a tiger that swelled the hearts and heads of the members of Engine Co. 27, as they gazed upon the fire-cap of the discomfited "Dave." Never again was there any serious trouble between the two companies. No. 34's boys had really "got enough."

Shortly afterwards, "Dave" Broderick went to California, where, after a career of political success in which he became United States Senator from that State, he was bullied into a duel with Judge Terry, who killed him; while Ely Hazelton, elated at his victory, soon after took to drinking, and one night, in a fit of *mania a potu*, committed suicide in a shockingly original manner, taking an awl and driving it with a mallet into his brain.

So much for Chief Decker's description of an incident of Volunteer Fire Department days; and now for a word or two about his illustrious predecessor, Harry Howard.

Harry was a bluff, somewhat stern, but always good-natured fellow, and gentlemanly in deportment. He never knew who his parents were. A kind-hearted old woman adopted him in infancy, and the Legislature, at his request, gave him his name, which was Henry H. Howard. He never married, but he seems to have had somewhere in his inner heart a soft spot for some one; for, when he died, he bequeathed all his property to a lady whom, as stated by a friend of his, he had "loved and lost" in his youth. Be-

cause he was of unknown parentage, the parents of the girl he loved would not consent to her union with him, and she was wedded to another. But, he doubtless argued, it was through no fault of hers that she did not become his wife, and, having no relatives, he left her all he had in this world, thus exemplifying Moore's beautiful stanza:

> "The heart that has truly loved never forgets,
> But as truly loves on to the close
> As the sun-flower turns to her god when he sets
> The same look which she turned when he rose."

Notwithstanding his romance, there was a good deal of human nature in Harry's composition, and while he did not indulge much in conversation, he was "up to snuff" in matters political. His first start in politics was during the "hasty plate of soup" canvass of General Winfield Scott, in 1852, when Harry (while an Assistant Engineer of the Department) was elected to the Legislature, and served during the session of 1853. Then, following in the footsteps of Tweed, he took a turn at city politics, and held the position of Alderman during the years 1854 and 1855; John Kelly, afterwards "Boss" of Tammany Hall, being an associate member with him. Harry then made a dash for the office of Receiver of Taxes; and this is the way "he got there." It happened that, just as Harry's term as Alderman was about to expire, Mr. Harvey Hart's term of office as Receiver of Taxes was also brought to a close. Harry concluded that he would interview the Mayor (Fernando Wood) who had the authority, "by and with the consent of the Board of Aldermen," to fill the office of Receiver of Taxes. Wood's personal preference for the soon-to-be vacancy was Daniel E. Delavan, a Sachem of Tammany, and an admirer of Fernando Wood. But Wood was a sly politician, and not wishing to offend Harry Howard and his following, pretended to be friendly with Harry and in favor of his promotion. "Only," said he to Harry, "it would be a waste

of time to nominate you, as your brother Aldermen, jealous of your personal popularity, would not confirm your nomination."

Howard, not to be put off thus easily, replied to Mayor Wood's sympathetic suggestion by saying: "Any way, give me the nomination, Mr. Mayor. Let me have it signed by you officially, and I will try my luck with the Aldermen. Do your part, and then, if the Aldermen won't have me, why, you will have shown your friendship to me, and I and the members of the Fire Department won't forget you hereafter."

"Not a bad idea that of yours, Harry," said the Mayor. "I rather like it. Call to-morrow, and I will have your nomination made out and signed, all ready to submit to the Board of Aldermen. Good day," and His Honor bowed Harry Howard out, with one of his sweetest Fernando Wooden styles of smile.

This was in the morning. That very afternoon, Wood had a secret meeting with certain prominent members of the Board of Aldermen, and exacted a promise from them not to confirm Harry Howard's nomination which he, for policy's sake, might send to them. Then, thinking that he had very effectually cooked Howard's "goose," His Honor went up town.

Next day, Wood gave Harry a duplicate copy of his nomination for the position of Receiver of Taxes, the original of which he promised to send to the Board of Aldermen in an official way. "You see, Harry," said his Honor, as he handed Howard the precious document, "I have kept my word; and I do hope that I may be agreeably disappointed in my conviction that the Board of Aldermen will refuse to endorse my nomination of you."

Whereupon Harry Howard smiled; so did his Honor the Mayor. Everything was lovely all around, and with mutual "taffy" the two politicians separated, the Mayor chuckling

as he thought of the block game he had arranged. But, if Wood was playing smart, Harry was going to try to play smarter. He knew all about Wood's preference for Delavan, and he had also found out the night before concerning Wood's secret caucus with the Aldermen. So, with the Mayor's nomination in his pocket, he made his way to the room of the Clerk of the Common Council, where he chanced to meet several members of the Board.

It so happened at this time that the majority of the members of the Board of Aldermen were not very friendly to the Mayor, because he had just succeeded in fooling them in a characteristic way. Some weeks before, Wood had got the Board to confirm his nomination of Charles Devlin as Street Commissioner. Wood had distinctly promised them that, if they would promptly confirm Devlin's nomination, he would allow them to divide up among themselves all his patronage. But, instead of his doing so, as promised, the Aldermen got nothing; and they felt quite sore about such treatment.

"If I show you a way to get even with Wood, will you have spunk enough to follow it?" asked Harry of his fellow members whom he had met. Receiving an affirmative assurance he continued: "Well, I have asked Wood to nominate me for Receiver of Taxes, and he has got some of you fellows to promise to reject my nomination. Now, what I suggest is that you go back on your promises to the Mayor, the same as he went back on his promises to you concerning Charley Devlin. And by confirming my nomination as Receiver, you will keep Wood from getting his man Delavan in."

His Brother Aldermen thought the plan suggested was a good one, and shaking Harry's hand cordially and promising him their support, the party separated, Harry determining to follow up his success with other conferences of a similar

kind, the understanding being, however, that "mum" must be the word.

A few days afterwards there was a regular meeting of the Aldermen in their chamber, and there was a pretty full house, including a number of local politicians, the understanding being that Harry Howard's name was to be sent in as Receiver of Taxes, and his friends were present in force. Daniel E. Delavan was there also, with a party of friends, and they seemed to be in the best of humor, the Mayor having doubtless told them how Harry was going to be "fooled." The Aldermen smiled, too, because they had an idea also that somebody else was also going to be "fooled."

Presently, in came the Mayor's clerk with a communication, which was handed to the President of the Board. Harry stood close by, with his duplicate nomination in his hand, which he had determined to present, in case Wood should attempt "foxy" business. But, so confident was Wood of Harry's rejection, that he had actually kept faith; and Howard's name was in the transmitted message as nominee for the office of Receiver of Taxes.

Suffice it to add that, when the communication from His Honor the Mayor was read, on the call of the ayes and nays all the members of the Board present—except two of the three men the Mayor had talked to, and upon whom he had relied to control the Board—voted to confirm Howard's nomination.

And Mayor Wood, having run against a buzz saw in trying to fool Harry, was terribly mortified to think that he had kept his word—a very unusual thing, in politics, for him to do—and he lost much prestige in the estimation of his friend Daniel E. Delavan, the disappointed aspirant and the Mayor's own choice for the office of Receiver of Taxes.

In conclusion, I may mention that a relic of the days of the Volunteer Fire Department, a bell tower, from the top of which is suspended the bell which used to summon the

firemen of the Harlem district to duty, still stands on the summit of a hill in the centre of Mount Morris Park, and three times a day (at eight o'clock A. M., at noon, and at nine o'clock at night) a member of our Fire Department strikes the hour on the bell, the vibrant tones of which awaken pleasant memories in the minds of many old Volunteer Firemen residing in the vicinity. The site of Mount Morris Park, then a barren waste of twenty acres, was in 1837, donated by a widow named Bell to the public of New York. The value of the bequest at that time was one thousand dollars. The present estimated value is one and a quarter millions of dollars.

LETTER VIII.

DISTINGUISHED LOBBYISTS AT ALBANY—ORIGINATOR IN THIS STATE OF THE THIRD HOUSE—SKILLED DIPLOMATS AND THEIR SUCCESSFUL MANŒUVRES—A COUP D'ETAT IN THE STATE SENATE—ADROITNESS OF A MEMBER IN TURNING A SHARP CORNER—IMPORTANT BRIDGE CONTEST BETWEEN ALBANY AND TROY—HOW A CUTE LOBBYIST ON A LOSING SIDE TURNED UP A WINNER—APPARENTLY TRIVIAL INCIDENT THAT CHANGED THE COURSE OF AN IMPORTANT MEASURE.

MY DEAR DEAN:

I now desire to direct attention once more to Albany, and give you some idea of the surroundings of members of the Legislature at the period referred to in a preceding letter—the years 1868-69.

Lobbying at Albany, according to all accounts, was first successfully introduced in 1825 by Thurlow Weed, who, although not a professional lobbyist in the modern sense of that term, was a most influential "manager" of legislation and "the noblest Roman of them all." For a period of forty years Mr. Weed held the position of undisputed leader of his party in New York State. He had "made" his friend William H. Seward Governor of the State, and, later, influenced the selection of Mr. Seward for the onerous post of Secretary of State in President Lincoln's Cabinet.

Inasmuch as in his earlier days there were comparatively few large corporations to tamper with legislation, Mr. Weed's stock in trade was chiefly "persuasive eloquence." He was a born diplomat, an adroit manager, and the very head and front of the old Whig party, as of its successor, the Republican. The rural legislator of his own political faith always looked to him for advice concerning affairs of State, and the Albany *Evening Journal* was his mouth-

piece; while the Democratic organ at Albany was then, as now, the *Argus*, through which Dean Richmond, Peter Cagger, Sanford E. Church, and others of the "Albany Regency" formulated their political views.

After forty years of active service as "a manager of legislation," as he expressed it, Thurlow Weed retired with an honorable record from the field of his exploits. Then to the front came those who desired to till the field he had so successfully ploughed; who had, like busy bees, "improved each shining hour," and become adepts in one of his lines of "statesmanship."

Most polished and advanced of Weed's successors, a man of culture and of quick perceptions, was A. D. Barber. As there was in the European politics of his time only one Bismarck, so in the annals of the Albany lobby there was only one Barber, of whom it might well be said, "none but himself could be his parallel." He was a wonderful man in his way. He looked a good deal like Judge Noah Davis, (the Judge who sentenced Tweed to twelve years' imprisonment on as many different "counts" and had his decision reversed by the Court of Appeals) and to whom, by the way, he was related. He was averse to ostentation, vulgar display or fuss; was smart, nervy and reliable, and, like Tweed, (in one respect at least) he was big-hearted, and often by stealth did a good action which nobody ever gave him credit for. Like Tweed, too, he was direct in his methods, and, if he wanted a man or a thing, went directly for the thing or the man. He could pass or kill a bill quicker than could any other man in his time or line. He generally preferred killing bills to passing them, however, because he found "Nay" votes cheaper than "Yea" votes, and easier to get. Barber was King of the Lobby for a long series of years. Then he somehow got mixed up in the Conkling and anti-Conkling fight, at the time when Roscoe Conkling and his then associate, Thomas C. Platt,

resigned their seats in the Federal Senate and sought re-election as a rebuke to President James A. Garfield, whom they had tried to boss in the matter of the appointment of Judge William H. Robertson as Collector of the Port of New York—to which I shall refer more fully hereafter. It was a matter not directly in Barber's line, but he tried to "take it in," and was taken in by it. He nearly got into "trouble" on account of this affair, and then, quarreling with a somewhat ambitious lobbyist, known as Edward Phelps, abdicated his throne and retired from the scene of his glory.

Barber's successor, Phelps, was a very agreeable and companionable man, and at the same time somewhat dignified. He had a most useful faculty for a man in his line; he never forgot a face, just as he never remembered a conversation—unless there was good reason for doing otherwise. He was one of the keenest, smartest men living, and scored a notable success in his chosen avocation.

Mr. Phelps made a specialty of "business" for the New York Central Railroad, and this he managed with remarkable skill. He was sagacious in his valuation of votes, honorable and straightforward in his dealings with his "clients," and satisfactory to his principals, who could place firm reliance upon all his statements. The briefest memorandum over his signature was regarded by members of both Houses as good as a bond. But on one occasion his keen desire to save his Vanderbilt friends from what he thought unnecessary expense came very near getting him into a mess of tribulation. Prior to the adoption of the amended Constitution of this State there was set before the Senate an innocent-looking bill—which had been shrewdly shaped as a local measure applicable only to an unimportant railroad in the interior of the State, but which sought to amend the General Railroad Act in a way that would be very advantageous to the New York Central,

although the name of that corporation was not visibly connected with the bill. So well was the object of the measure cloaked that Phelps concluded he could run it through the Legislature on what the wide-awake members called "the dead sneak"—a term which they applied to the passage of any bill which had "business" in it, but for which no "business" was transacted. Among the Senators was one very wide-awake chap, a bright lawyer, a fine debater, and a very industrious member. Scarcely a printed bill was ever placed on the files (with which every member was supplied and which were generally kept on their desks for easy reference when bills were up for discussion) that he did not read, and when he read them he made memoranda of what they contained. The "nigger in the fence" of the New York Central's innocent-looking "little local bill" did not escape his notice. Every time he scanned his memorandum-book, which he carried in the inside pocket of his business coat, he would be reminded of the measure, and then he would give it another reading. One day when, in the ordinary course of its business, the Senate had reached "General Orders" (in which bills in their order are taken up for discussion in Committee of the Whole), the clerk began to read by sections this innocent-looking "little local bill."

Senator Nickleson (the industrious member just referred to) sat perfectly still until the clerk had read all but the last section of the bill; and as there seemed to be no opposition to the measure, Mr. Phelps, who sat in one corner of the Senate Chamber, was congratulating himself upon the success of his shrewd device, and was about to go and telegraph the New York Central people the fine progress the bill was making, when suddenly Senator Nickleson arose from his seat and said: "Mr. President, in order to receive some explanation of the aim and object of the fourth section of this bill, I was about to make a motion to strike

out its enacting clause; but as I observe that the Senator who introduced the bill is not in his seat, I shall, instead, move that when the Committee rises, it reports progress on this bill, and ask leave to sit again." Out of courtesy to the Senator, his motion was seconded and carried.

During the afternoon recess, the Senator was waited upon by Mr. Phelps, who in a sympathetic way asked why he was so unkind as to interfere with a little local bill of a brother Senator who was lying sick at his hotel. Then Senator Nickleson explained his suspicions concerning the measure, and stated that he was opposed to it, as the fourth section "covered a multitude of sins." Phelps pooh-poohed this idea, and insisted that there was nothing wrong in the bill.

"All right," replied the Senator, "we shall see what we shall see. I know what I'm about."

When the bill came up again for discussion in Committee of the Whole, Phelps occupied a seat in the rear of the Senate Chamber, alongside of a prominent official of the New York Central Railroad. And when the clerk had again by request read the fourth section of the bill, its introducer then being present, Senator Nickleson made a motion to "strike out the enacting clause," and proceeded to expose in great style the "inside" of the bill. Suddenly there was a conference between Phelps and the railroad official, which ended in Mr. Phelps leaving the Senate Chamber, going to the library, and, upon his return, summoning one of the pages, whom he instructed to deliver a memorandum to Senator Nickleson. That gentleman paused in his remarks long enough to glance at the message, whereupon his hand went to the inside pocket of his coat, as if in search of a particular letter, which he opened and read a few lines; then, continuing his remarks, he said:

"Mr. Chairman, I have spoken as I have concerning

this bill, not because of my opposition to it, but in obedience to a request of one of my constituents, whose opinions I highly respect, and in fulfillment of my response to his letter, which I hold in my hand. I promised him to present to the Senate his objections; and have done so. But I am convinced, after due and careful investigation of the bill, that my friend errs in his conclusions, and I must and shall differ from him in my action. Therefore I beg leave to withdraw my motion to strike out the enacting clause of the bill, and, if the Senator from the Eighteenth District will permit me, I now move that when this Committee rises, it reports this bill to the Senate and recommends its passage."

This sudden change of base on the part of the Senator was so adroitly managed, and was characterized by such apparent sincerity, that it excited no comment; but anyone who watched the manoeuvre, as I did, might have noticed a nod of gratified approval to Mr. Phelps on the part of the railroad official. The bill was reported favorably to the Senate, subsequently passed both Houses, and became a law. But for Mr. Phelps's "fine work" its fate might have been entirely different. The memorandum had "a power of influence," and the result proved Phelps to be a diplomat equal to any emergency. He was satisfied for ever after that Senator Nickleson "knew a good thing when he saw it," and the promoter never failed to "consult" the Senator regarding all important measures under his control.

One of the most sagacious lobbyists—or, more properly speaking, co-operators in the noble arts of the Third House—during the successful reign of Phelps, was James Davis, whose strong point was his intimacy with Chester A. Arthur, long before Arthur became President and while he was as much a "Boss" in the Republican party as was Tweed in Tammany Hall. "Jimmy" was a fine story-teller, and had a free-and-easy way that "took" with the members of the

Legislature. President Arthur never "went back" on his friends, and after he reached the White House he still treated his friend Davis cordially; but, on the whole, "Jimmy" proved worthy of the President's intimacy, and did not abuse it.

But, perhaps, all in all, the most gentlemanly, most intellectual, genial and popular man, next to Thurlow Weed, who had anything to do with the Albany lobby, was Hugh Hastings, between whom and Weed there was a feeling of sincere attachment. Hastings was the truest of friends and the bitterest of enemies. For many years after he left Albany, he was the editor of the New York *Commercial Advertiser*, and was the author of a valuable book on "Ancient American Politics."

Effulgent as were these lights of the lobby whom I have enumerated, Lorenzo Sessions, (better known throughout the length and breadth of the State as "Lo" Sessions) who began his political life as a member of the Third House, and terminated his career as a State Senator, was "no slouch."

"Lo" was a very handsome man, big-framed, bright-eyed, with a fine head of hair, a still finer goatee, and wore what the lady novelists style "a perennial smile." His first job as a lobbyist was connected with the old Albany Bridge Bill, in which Dean Richmond and Thurlow Weed had a hand. Weed offered Sessions a "retainer" to work for the bill, but the Troy people (who then possessed a monopoly of the Hudson River, in so far as a bridge was concerned; for, less than thirty years ago, the only way of getting from New York City to Albany, except by steamboats, was to cross the river at Castleton by ferryboat in Summer, and by sleighs in Winter) were jealous of Albany and intensely hostile to this bridge project. To "Lo," accordingly, was offered a somewhat larger "retainer" if he would join their side in the contest. "Lo" Sessions was

not the man to fly in the face of Providence; he was not blind to bread and butter. Does not a text say that "he that provideth not for his own house is worse than an infidel?" And "Lo" had a family. So, from motives deep-rooted in domestic economy, he epoused that side of the bill represented by the largest pecuniary benefit to those for whom he had to provide. He undertook to beat the bill; and he got a snug check for opposing it—a check made out on the very day when the fate of the project was in the balance before the Legislature, "Lo's" special mission being to snatch from the friends of the bill three Assemblymen from his locality over whom he was supposed to have strong influence.

From accurate knowledge of the party with whom he was dealing, "Lo" knew, when he took this check (it was for a round one thousand dollars) that it would never be paid, nor one dollar of it, if the bill passed; and before three o'clock that day, he made up his mind that the bill would pass, notwithstanding his efforts to the contrary. Dean Richmond himself, then President of the New York Central Railroad, was in Albany, using "arguments" freely. The whole power of the road was backing up the bill, and "Lo" began to regret that he had not enlisted on the other side of the fight, and gotten a smaller certainty rather than a larger uncertainty. "Lo," however, was not the man to sigh over a mistake, but to rectify it, or, failing, then to play what there was in it for all that it was worth. And he reasoned to himself that the only thing for him now—at this stage of uncertainty—was to get, by hook or crook, that one thousand dollar check cashed and the money in his pocket, whether the Bridge Bill passed or not, and, if possible, before any "private instructions" were received by the bank cashier about the check aforesaid.

It so happened that no "private instructions" had been given concerning that check, for the simple reason that the

man who drew it and handed it to Sessions thought he had a sure thing—not on the bill, but on the check; for the check had been drawn on a Troy bank, and had not been delivered to "Lo" until about two o'clock, just as the Legislature had taken a recess, the calculation of the man who gave it being that, as the bank closed at three o'clock, Sessions, who had a lot of other business on hand, could not possibly get it cashed that day, and perhaps before the next morning the fate of the bill and of the check would be decided together. If the bill passed, why—the check wouldn't!

But Sessions, as I have intimated, was "no slouch." He knew the cashier of the Troy bank; he also knew all about the time-tables of the local trains, and knew that, according to the schedule, he could not possibly make a train to Troy by three o'clock; but, besides all this, he knew the proprietor of a livery stable near by of whom he could get an A-No. 1 fast saddle horse, which might be able to carry him to Troy before the bank closed. "Lo" got that horse; and Phil Sheridan's famous ride from Winchester was a tame record as compared with "Lo's" electric flight to Troy, ten miles away, on the day in question. When he reached the bank it was closed! In "nil desperandum" mood he banged at the door until it was opened by an attendant who, knowing "Lo" personally, and the cashier also being a personal friend of Sessions, let him enter. One of the strong points about "Lo" was that he knew everybody that was anybody, and was popular with all his acquaintances.

"Jim," exclaimed Sessions, addressing the cashier, who had recognized him as he entered, "I have a check here that I must get cashed at once."

Taking the check and glancing at the signature, the cashier said it was all right. "But what on earth are you

in such a hurry for?" he asked. "Can't you wait for the money until morning?"

"No, Jim," replied Sessions, "I cannot wait for the money until morning, for several good reasons. You see," he added, tapping the cashier on the shoulder, and giving him a sly wink, "at least three-quarters of this amount is for 'business' of immediate, urgent necessity, and belongs to the boys; besides, I have arranged for a little game at the Delavan to-night, and I cannot afford to be without some spot cash. You comprehend, Jim?"

While conspicuously faithful and conscientious, the cashier was human enough to dearly like a "little game" himself; always paid his bets cash down, and expected others in the same way to pay theirs; fully comprehended "Lo's" position, as explained, and made no further delay in cashing the check; whereupon "Lo," thanking the cashier, remounted his horse, and, with the air of a conquering hero, rode leisurely back to Albany.

Meanwhile, the man who had given Sessions the check, although he did not dream of what "Lo" had been doing, decided (lest he might forget it in the morning) not to put off till the morrow what could be done that day. He prepared to run over to Troy and stop payment on the check, at least until "dead sure" of the defeat of the Bridge Bill. Jumping on the first local train to Troy, and going to the door of the bank, in which he was a large depositor, he knocked as "Lo" had done, and, like "Lo," was admitted.

So far, so good. But it was not so good when, to his utter astonishment, the visitor found that he had been forestalled, and that the money had been paid. He "swore some" then, but not nearly as much as he did the next day when the Bridge bill, having already passed the Senate, received a favorable third reading in the Assembly. And when in the lobby of the Delavan after the bill had passed

the House, the man who gave the check met the man who received it, neither asked the other to "take a drink."

From that time forth, "Lo" Sessions was recognized as one of the smartest members of the lobby, and no one enjoyed hearing more than he enjoyed telling the story of how he "got the best of a skin."

As in this letter I have referred to Thurlow Weed, I may add, in order to prove that he was no common lobbyist, that, during the early part of the Civil War, he was appointed one of three commissioners to visit London and Paris to endeavor to prevent any interference, on the part of the English or French governments, in the quarrel between the North and South. His colleagues in that mission were Archbishop Hughes and Bishop McIlvaine.

Just before leaving New York (and I obtained this information from his particular friend, Mr. Hugh Hastings) Thurlow Weed met accidentally a friend who, in the course of conversation, said he knew in Paris a certain French merchant who had formerly done business in New York, and Thurlow Weed immediately asked this friend to sit down and write for him a letter of introduction to the French merchant, as he would like to meet an influential gentleman in Paris who had resided in New York.

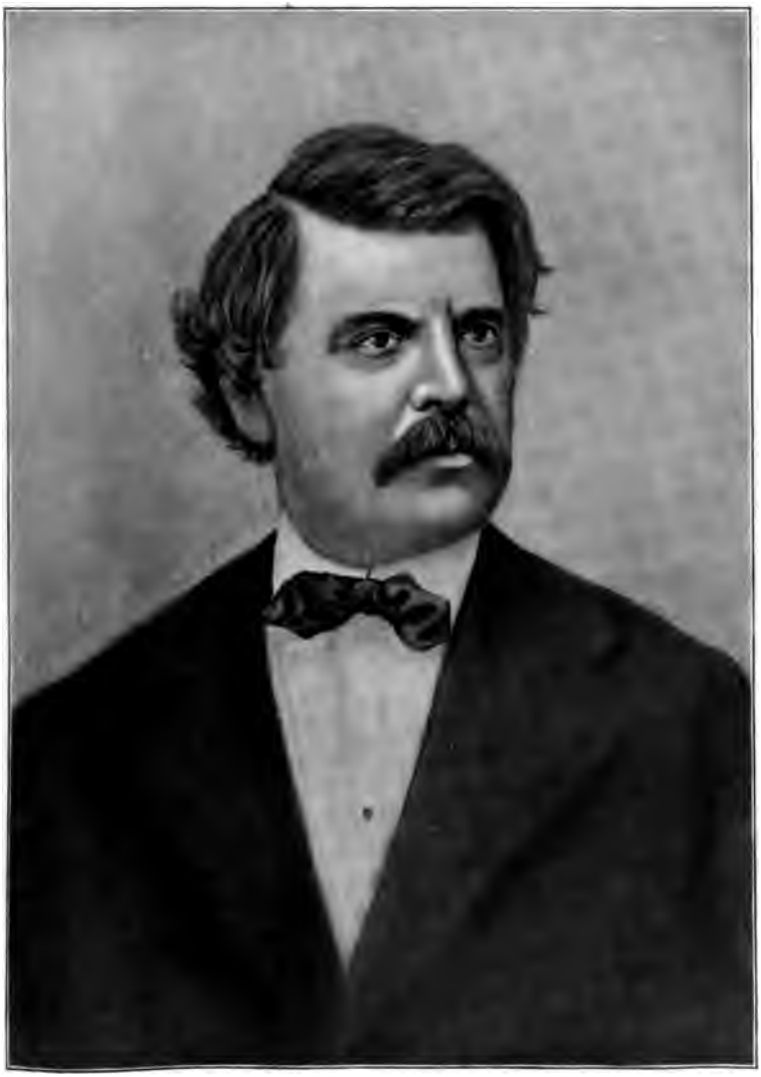
The three Commissioners left New York on the same steamer. Bishop McIlvaine visited London, but made poor headway, and soon returned disappointed. Archbishop Hughes tried to see Napoleon, but did not succeed; and he went to Italy to consult the Pope. Thurlow Weed found himself all alone in Paris.

Meanwhile, the French Emperor, to whom overtures had been made by the Confederate Commissioners, was more than half-inclined to take a hostile attitude toward the Northern States, and was only waiting for the co-operation of England. Thurlow Weed knew all this, and fruitlessly tried in every way to get a personal interview with the

Emperor. The American envoy was almost reduced to despair when suddenly he bethought him of the ex-New York French merchant in Paris, to whom he bore the letter of introduction. He at once hunted him up and presented this letter. He was well-received, and found, to his intense delight, that this French merchant was of good standing at the Imperial Court, that he had placed the Emperor himself under obligations, and that he was on equally good terms with the Duc de Morny, another very important personage at that particular time.

Having had several talks together regarding the situation, the Frenchman advised the American Commissioner that the best way to accomplish his purpose of obtaining the much coveted interview with the Emperor, was to get at him, as it were, by installments. In other words, that he should first call on Prince Napoleon, then on the Duc de Morny, and then upon the Emperor; the merchant promising Weed to pave the way for him to all three. This advice Thurlow Weed fully carried out, with such success that in a very short time the attitude of France toward the United States was completely changed.

This incident strikingly attests the truth of the axiom that "there are no such things as little things." For, if Napoleon had not changed his course at about the period referred to, both France and England might soon have been induced to recognize the independence of the Southern Confederacy; and Napoleon, perhaps, might not have changed his course had he not been reached in the diplomatic way suggested by the French merchant, whom Weed would not have known or would have been unable to reach had it not been for the very warm letter of introduction obtained from the friend accidentally met before leaving New York. From which chain of premises I shall leave you to draw your own conclusions.



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PETER B. SWEENY.

LETTER IX.

PLUCK DISPLAYED BY TWEED IN HIS EARLY POLITICAL CAREER —HOW HE COMBATED THE OMNIBUS MONOPOLY—WHAT IT COST THIRTEEN ALDERMEN TO DISREGARD AN INJUNCTION— THIRTY YEARS' OF INCESSANT STRUGGLE FOR A BROADWAY RAILROAD—SAD FATE OF THE ORIGINAL PROJECTOR—PUBLIC CLAMOR AND ITS VICTIMS—HOW A WASHINGTON BOSS WAS HOUNDED ALMOST TO DEATH; THEN APPLAUDED AS A HERO, AND AN OVATION EXTENDED TO HIM.

MY DEAR DEAN:

In my last letter I devoted some space to the intricacies of railway legislation in this State, and while this subject is in my mind, I may refer to a local controversy in which Boss Tweed, in his earlier days, was interested, and at a time when he did not have so much control over our Judges as at a later period. In this connection, permit me here to say, that in these familiar letters it is my purpose to do equal and exact justice to all to whom I may refer—to Tweed as well as everybody else; for my aim is to "nothing extenuate, nor set down aught in malice."

Those who now visit New York and have occasion to ride in the handsomely-constructed, spacious, electric cars, which pass and repass the promenader on Broadway at intervals of less than half a minute, can scarcely believe that it required nearly thirty years of hard fighting to so overcome the bitter opposition set up against what was called "the desecration" of Broadway by railway tracks, as to secure the accommodations we have to-day; and you will perhaps be surprised to learn that William M. Tweed, as far back as the year 1852, had the foresight and sagacity to perceive the necessity of supplanting the then existing old omnibus system of transit with some more rapid and progressive

means of public transportation on the principal thoroughfare of the city, and that, boldly defying an act of injunction, he then ran the risk of "contempt" proceedings in his efforts to secure to his fellow citizens the advantages of better local transit which they demanded.

In December, 1852, after a long discussion, and despite strenuous opposition on the part of the proprietors of the several omnibus lines (there were at that time over five hundred stages belonging to the several lines in daily use on Broadway, which were an abomination to the men women and children who were compelled to ride in them,) the Board of Aldermen resolved to "grant permission to Jacob Sharp and others to lay a railroad track on Broadway, from South Ferry to Fifty-ninth Street," the ordinance being adopted by a vote of sixteen ayes to two nays. This action of the Board of Aldermen was vetoed by the Mayor, Ambrose C. Kingsland, and as there was much popular indignation thereat, and some talk of the passage, by the Aldermen, of the ordinance over the Mayor's veto, resort was had to the Courts by the opponents of the meas, ure (among whom, besides the stage proprietors, was Alexander T. Stewart, the "merchant prince," who was then catering to Fifth Avenue custom, and was afraid that a railroad on Broadway would interfere with the carriages of his customers,) and an injunction was issued by Justice Campbell, of the Superior Court, to restrain such action by the Board.

This proceeding irritated the Aldermen, of whom Richard F. Compton was then president, and at a meeting of the Board, held on the 28th of December (within three days of the close of the session) Alderman Sturtevant offered a preamble and resolution, reciting the fact I have just stated, adding that "if the assumption be submitted to, that a Judge, without color of law or jurisdiction, can exercise the prerogative of directing and controlling municipal legis-

lation of the City, by issuing an injunction prohibiting the Mayor, Aldermen and Commonalty of New York from performing a legislative act supposed by him to be probably about to be performed, the next natural step of judicial usurpation will be to arrest and veto, in similar manner, the legislation of the State or that of Congress on any Judge's opinion of constitutionality, expediency or motive, at the close of a session when all business of importance is usually completed." The preamble further claimed that the "Common Council have an equal authority and right to suspect and impute improper motives to any intended judicial decision of any Judge, and consequently arrest his action on the Bench, as such Judge has in regard to the legislative action of the Common Council." The preamble and resolution still further asserted that "the measure against which the injunction in question is directed, was adopted on the grounds of public expediency, justice and right, for the good of the city, both in regard to accommodation and service of the public, and in regard to the interests of the City Treasury, and also upon the petition of upwards of thirty thousand citizens; that nothing has yet appeared which shakes the ground on which the ordinance was adopted, and that we shrink from no discussion or investigation, judicial or otherwise, into the foundations of these grounds and the reason of our action, collective and individual."

Alderman Tweed, in seconding the preamble and resolution, argued that the terms and conditions imposed upon the grantees of the proposed franchise were calculated to be of undoubted public advantage, and would insure the growth and progress of the city, as well as be a great accommodation to the working-classes, and closed by stating that "when the people of the Seventh Ward elected him as their representative, they gave him the right to think for them, and had not delegated it to Mr. Justice Campbell;

and he would never allow Mr. Campbell or Mr. Anybody Else to direct him how to think or vote, but would do so himself, despite injunctions or any other papers."

The preamble and resolutions offered by Mr. Sturtevant were then approved by a vote of thirteen ayes to four nays, and the ordinance previously adopted granting the franchise for a railroad on Broadway to Jacob Sharp and others was passed, "notwithstanding the objections of the Mayor," by a vote of fifteen ayes to three nays.

The Board of Aldermen met again the next day for the transaction of regular business, and this was the last session of the year.

It may be worth while to mention, in this connection, that the Board of Aldermen in 1852 was composed of very different material from the class of men who have figured in it since the pay of Aldermen was fixed at two thousand dollars per annum. In 1852 there was no compensation of the Aldermen; they served for the honor of the position. The Board which Mr. Justice Campbell had enjoined consisted of Messrs. Richard F. Compton, ice merchant; Abraham Moore, retired merchant; Oscar W. Sturtevant, lawyer; Jacob T. Oakley, liquor dealer; Dudley Haley, fruit dealer; John Boyce, dry goods merchant; Thomas J. Barr, livery stable proprietor; William M. Tweed, chair manufacturer; William J. Brisley, marble and stone cutter; Charles Francis, saddler; Wesley Smith, dealer in timber; John Pearsall, retired merchant; Daniel F. Tiemann (afterwards Mayor of the city), paints and oils; James M. Bard, brass founder; A. A. Denman, building materials; John Doherty, lawyer; William J. Peck, lime and brick dealer; S. L. H. Ward, lawyer; W. H. Cornell, butcher; A. A. Alvord, insurance broker.

The result of the injunction of the Court to which I have referred was that the people got no Broadway Railroad; but Alderman Sturtevant was sentenced to twenty days in

the city prison and to pay a fine of two hundred and fifty dollars for his share of the "contempt" of Court in which he had indulged, while all of his brother Aldermen who voted for his preamble and resolution, including Alderman William M. Tweed, were fined two hundred dollars apiece. Then the stage proprietors, aided by Mr. A. T. Stewart and others, hoping thereby the better to "protect Broadway against railway cars," lobbied at Albany and had the power of granting railroad franchises taken away from the Aldermen and lodged in the State Legislature.

It is stated that A. T. Stewart expended nearly half a million of dollars, during a period of twenty-five years, to defeat the various attempts to run a railroad past the two immense dry goods establishments which he then owned on Broadway. Nothing could change him when he once made up his mind, and to the day of his death he almost foamed at the mouth at the mere mention of a Broadway Railroad or "Jake" Sharp.

As for Alderman Sturtevant, a promising lawyer and a gentleman highly respected, the disgrace of imprisonment for sustaining (as he contended) the dignity of a representative, preyed upon his mind. He did not care for the fine inflicted upon him—he was willing to pay, if necessary, ten times the amount; but to be treated like a felon was a bitter pill. It indirectly killed him. From the day he came out of jail he was a broken-down man. His family and friends did all they could to cheer him; told him that his punishment was merely due to political antagonisms, which was more than half true; but he persisted in looking at it as if it involved personal disgrace. He got solitary in his habits, avoided his fellow men, and one day, while brooding and worrying, fell dead in the lobby of the Astor House, a victim to his righteous endeavor to serve the public in giving them a railway on Broadway.

But while Jacob Sharp was thus defeated in his first

attempt to obtain from the Aldermen a franchise for a Broadway railroad, he followed up the matter, year after year, with bills introduced in the State Legislature, always to be defeated, however, through the "influence" of Mr. A. T. Stewart, until after years of fruitless perseverance at Albany (always, as I have stated, confronted by the Broadway millionaire's money-bags), he had about made up his mind to "throw up the sponge," when his hopes were revived by the passage of a bill restoring to the City government the right of granting franchises for surface railroads. Then the pioneer of that great enterprise set himself earnestly to work once more, and he again presented a petition to the Board of Aldermen in favor of his darling project. His old antagonist, A. T. Stewart, was now no longer living; but a new enemy, in the shape of a rival aspirant for the franchise, came to the front.

Being a sensible and proper project from the start, and one which long ago would have added millions in value to property on that thoroughfare, had not blind obstinacy prevented, the Broadway Railroad idea "grew by what it fed on;" a syndicate of railroad men in Philadelphia became interested in it; and patient, persistent Jacob Sharp soon became convinced that, if he could not call to his aid moneyed friends, he, in spite of all his years of toil and the large expenditures he had incurred to secure the consummation of his hopes, would, in the classic language of the Aldermen of the year 1884, be "given the grand goose," or in plainer language be left out in the cold. So he interested on his side, in the fight for the franchise, the Seventh Avenue Railroad Company, or the moneyed portion of its directors. I shall not go into details concerning the struggle which ensued or the scandal which grew out of it. The Sharp side finally won, and secured the franchise, all the members of the Board of Aldermen, save two, voting in favor of giving the grant to the original projector

of the scheme. And then old Jacob Sharp was happy. His perseverance had at last yielded fruit, the bread that he had cast upon the waters had come back to him—in theory, but not otherwise.

For, angered by reason of the loss of the rich prize it had been fighting for, the defeated syndicate from Philadelphia determined to "get even" with those who had refused its advances and had favored the scheme of their old fellow citizen, "Jake" Sharp. Accordingly, both through the press and through the machinery of the Courts, a movement was begun to prosecute the promoter of the scheme, as well as all who favored him, on the ground of "bribery and corruption." And all were indicted. Whereupon two or three of the Aldermen, under extreme pressure, turned State's evidence; one member of the Board confessed to the acceptance of money; two or three of the members were sent to State Prison; others fled to Canada; and all the rest of what was called "the combine" were disgraced and driven from power, while Jacob Sharp, a decrepit old man, in his sixty-seventh year, who had spent over thirty years in most earnest effort to obtain for the people of New York an accommodation in the way of travel, which they would not to-day dispense with for millions of dollars, was arrested, tried, convicted on the charge of having bribed the Aldermen to vote in favor of his pet project, and on July 14th, 1887, was sentenced by Judge Barrett to confinement for four years and a half in the State Prison, and to pay a fine of $5,000. His counsel carried the case to the Court of Appeals which, through the eloquent and masterly argument of Hon. W. Bourke Cockran, on November 29th, set aside the conviction of the lower Court, and Mr. Sharp was released on $40,000 bail. But he never recovered from the effect of his conviction and imprisonment; and, like Alderman Sturtevant, sinking under the nervous prostration

which followed, he died on April 5th, 1888—another martyr to the Broadway Railroad.

Much sympathy has always been felt for this persevering champion of a beneficent project, who was driven to any violation of law he may have been guilty of, by the action of his persecutors, who, in seeking to bribe the Aldermen to favor their demands, made necessary for self-protection the course to which old Mr. Sharp was driven; and, if he were guilty of an infringement of the law, they were equally guilty. But the cry of "mad dog" had been raised against the poor old man Sharp, and he was sacrificed to appease public clamor.

Much injustice has often been inflicted under this pressure of "public clamor." The case of Governor Sheppard (otherwise known as Boss Sheppard) of Washington City, D. C., furnishes an example. During the year 1868, Congress passed an Act which placed the District of Columbia under the charge of a Governor and a Board of Public Works; the Board consisting of five members to be appointed by the President. General Grant, the then Executive, appointed Sheppard the Governor of the District, and under his direction Washington was transformed from a mud village to perhaps the most beautiful city in the world. But taxes and assessments necessarily followed; and notwithstanding the value of property was more than doubled, popular clamor, created principally by disappointed contractors, forced Congress to repeal the law, and Sheppard, who, during his public service, had neglected his private business, found himself virtually a bankrupt, and his only reward was abuse piled mountains high.

In disgust at this ingratitude for all his efforts in behalf of the people, he determined to leave the city of his birth, accepted an offer to work on shares an unproductive silver mine in old Mexico, owned by a syndicate in New York, which had never paid one cent of dividend. Under his

excellent business methods he made the mine a very profitable affair both for the owners and himself. About fifteen years afterwards, in comfortable circumstances financially, he visited the City of Washington. By this time the people who had profited by his good work, their property being quadrupled in value, began to feel ashamed of their previous treatment of him, and, to mark their appreciation, extended to him an ovation. He was received as a hero by some of the very parties who had most violently traduced him. The flattery did not, however, turn his head; he reminded them of the cause of his departure, and congratulated them on their "second sight." He subsequently returned to his mine in Mexico, where he and his family now live on the fat of the land. He is said to be a splendid fellow physically and mentally, and the peer of any of our so-called great men. Had poor Jacob Sharp lived through his persecution, as he doubtless would have done had he been a younger man, he might to day be similarly honored in New York as a public benefactor.

As a relief to the sad and serious side of this letter, let me, in conclusion, add an anecdote or two which may be somewhat entertaining.

The office of Alderman of New York is older than the incorporation of the city; but it is only within the last thirty or forty years that anybody ever heard of "bribing" the Aldermen; and even within the period referred to there has been a good deal more fiction than fact in such charges. It is a very easy thing for people to say that the Board of Aldermen has been "fixed" or "seen;" in nine cases out of ten it is, no doubt, common slander. Yet, almost always where there is much smoke, there is bound to be some fire.

The first man who ever publicly stated that he bribed the Aldermen of New York was not himself a politician or a contractor, but a show-man, the renowned Phineas T. Barnum, "author of the woolly horse," as he sometimes

called himself; and, somewhat funny to state, the object of the first confessed bribe was not a franchise, or a contract, or an office, but a fish! Still, the story is not at all "fishy," but true in every point, according to Barnum, who gave the particulars as follows.

Among the early attractions of his museum, which stood on the site of the present twenty-six-storied St. Paul Building (with one exception the highest of the high buildings of the metropolis) on the corner of Broadway and Ann street, Barnum had secured a couple of whales. There was no humbug about these whales; they were Simon-pure, although small, and proved a drawing card. Comparatively small as the whales were, they were really big fish, needing a lot of water, which it was found more and more difficult to supply.

Immense quantities of salt were put into the fresh-water tank which held the whales, but somehow they did not thrive on this artificial sea-water. The cetaceans were no fools; they detected the cheat at once, pined for the original article, and it soon became evident that either they must be taken back to the sea or they must die unless somehow or other the sea be brought to them in their present location. The last of the horns of the dilemma was the one which Barnum determined to take. With the aid of a master plumber, he worked out the idea of having a pipe connection between his museum and the Hudson River, at the foot of Vesey street.

Simple enough in itself and feasible, the work would cost about three thousand dollars—more money than the whales had originally cost. But Barnum was not the sort of man to higgle over the cost of a good thing; so that was settled. But suddenly he was notified officially that he could not lay his pipes without a permit from the Board of Aldermen. He placed his petition for the pipe before the Board, and to his surprise it was rejected. It took

about a week to get the Board of Aldermen to reconsider its vote on this pipe matter and finally pass on it formally. The only argument meantime presented by the irrepressible Barnum was one thousand dollars, which, he alleged, was divided, in sums of fifty and one hundred dollars, among the members of the Board. The Aldermen put their little fifty or one hundred dollars apiece in their pockets; and then, on free passes, went to the museum to see the whales disport in the salt water, which had already "salted" the Aldermen.

Such is the story of the first confessed bribe administered to the Aldermanic Board—almost a burlesque on a bribe.

Another confessed bribe was a much larger and more serious affair. The party who did the bribery was Hackley, a street-cleaning contractor, and his "whale" cost him forty times what Barnum's did. According to Hackley's sworn statement, he put in a bid for the street-cleaning contract; but the Aldermen higgle-haggled over it, keeping him on the anxious seat for a long time.

While things were in this unsatisfactory state, Hackley received a letter, peculiar in wording and suggestive of bargain and "boodle," only it was unsigned. This letter was written on a sheet of the official paper of the Board of Aldermen, in an evidently disguised hand. It was short (and, from a certain point of view, sweet) and in substance amounted to about this: "If you will leave forty thousand dollars in a package on a table" (in a certain designated room) "in the City Hall" (at a certain time) "your bid will be passed upon favorably the very next day by the Board of Aldermen. If you do not leave the package with the money, your contract will be forthwith rejected by that Board."

This was decisive as it was brief. Hackley did not hesitate. In his opinion the contract was worth five times more than forty thousand dollars. So he went to his

partner, a man named Hope, and got the money in five hundred dollar bills. These bills he wrapped up in a package without any address, and carrying it in his hand, like an ordinary bundle, entered the designated room in the City Hall at the appointed time.

Outside the door stood, as if they had accidentally met and were casually conversing, four members of the Board of Aldermen. They did not look at Hackley, though Hackley looked at, but did not speak to, them. He then entered the designated room, which was empty, put the package on the table, left it there, and went out of the room. When he came out the Aldermen were still standing around the door. They did not speak to Hackley, nor did Hackley speak to them. All was secrecy, mystery, silence. But the next day Hackley's contract was unanimously confirmed.

For some years the courts were occupied in deciding questions of legality regarding this Hackley contract, and the matter was finally decided in his favor. But his "business" dealing with the Aldermen came to light during the course of the litigation which followed the awarding of the contract.

LETTER X.

ATTEMPT TO ENFORCE OBSOLETE BLUE LAWS IN THE METROPOLIS —THE BOOMERANG EFFECTS OF AN ARBITRARY EXCISE ENACTMENT — INDIGNANT RESPONSE OF THE METROPOLIS TO SECTIONAL LEGISLATION—PARTISAN METHOD OF INTERPRETING A SUMPTUARY LAW—WHY LIQUOR SALOONS BECAME POLITICAL CENTRES—WHEN A PRESIDENTIAL ELECTION WAS LOST THROUGH THE SABBATARIAN EFFORTS OF A NEW JERSEY PARSON, WHO WAS HENRY CLAY'S "BURCHARD"—HOW A SUNDAY "BLUE LAW" SAVED THE STATEN ISLAND FERRY COMPANY FROM CONSEQUENTIAL DAMAGES.

MY DEAR DEAN:

In the history of our local politics, no question has been more discussed, or more troublesome, than the Excise Law. It has, indeed, proven a veritable Pandora's box to the Republican party, which, in 1866, with the aim of conquering, by "reconstruction," this Democratic stronghold (in the same way that its leaders sought to Republicanize the Southern States through military governors appointed at Washington) passed, as the forerunner of similar Boards of Commissioners to be appointed at Albany, the Act known as "The Metropolitan Excise Law."

The experience of mankind confirms what common sense would at once suggest, that the manners and morals of a people can never be molded by legislation. If a law harmonizes with the opinions and prejudices of the people on whom it is to be enforced, it will be honored and obeyed. If, on the contrary, it is repugnant to their sense of right, or in restraint of their tastes and habits, it will be a dead-letter, or an object of derision and contempt. The Fugitive Slave Law was enacted for the benefit of the South and the institutions of slavery which it maintained, yet it did more than all other causes combined to destroy the very establish-

ment it was intended to conserve. It goaded the conscience of the North; it made the people on this side of "Mason and Dixon's line" feel *particeps criminis* in all the errors and crimes of servitude, every time a runaway negro was returned to his master. And the experience which the people of this State had had in the matter of prohibitory legislation ought to have satisfied anybody, except a fanatic, that enforced teetotalism or any partisan sumptuary law was something to which the people of this metropolitan city would not submit.

It is true that in this State we once had a temperance Governor. Myron H. Clark had been nominated by the Whigs for that position, and the story was circulated that the strongest liquid he imbibed was lemonade without "a stick in it". Some of the more enthusiastic temperance folks thereupon called a convention of the friends of cold water, and at this gathering they resolved to, and did, endorse Clark as their candidate for Governor, because it had been ascertained that Horatio Seymour, the Democratic candidate, occasionally indulged in a glass of ale or a "whiskey sour." The combination elected Clark, and his election gave much comfort and courage to the cold-water brigade.

As a *quid pro quo* for the indorsement he had received from the temperance people, Governor Clark recommended the passage of and advocated a law modeled somewhat after the pattern of what was known as the "Maine Liquor Law." At the instance of a zealot named Neal Dow, the Legislature of the State of Maine, in 1851, passed an Act entitled "A Bill for the Suppression of Drinking-Houses and Tippling-shops," which provided for the search of places where it was suspected that liquors intended for sale were kept, and for the seizure, condemnation, and confiscation of liquors, if found, and for the punishment of persons keeping them, by fine and imprisonment. The law recommended

by Governor Clark was a modified duplicate of the Maine enactment, applicable to the entire State; but to all intents and purposes it proved a dead-letter.

Thereafter the temperance or teetotal question was but little stirred until the period referred to, 1866, when, to please the Sunday-law agitators, "The Metropolitan Excise Act" was passed. It made all the prohibitory features of the Maine Law applicable to New York on Sunday, but permitted the sale of liquors every other day of the week, under stated conditions, by those who were willing to pay a license of $250 for dispensing "hard stuff"; and, in order to try and win the German vote to the Republican side, the license for the sale of lager bier was made only one hundred dollars. This restrictive law was applicable to the Metropolitan Excise District, composed of the counties of New York and Kings (the City of Brooklyn), and to no other part of the State. The duty of licensing persons to sell liquor was placed in the hands of the Commissioners of the Board of Health, and they were permitted to license only persons of "good moral character," which, as interpreted, meant that any keeper of a hotel, tavern, or house of entertainment, where liquors were sold, who did not or would not vote the Radical ticket, might as well put up the shutters at once. The law was intended to give the "faithful" a monopoly of the profits arising from the dissemination of alcohol, while the rules adopted for the enforcement of the law permitted espionage, blackmail and tyranny to be practiced on all persons engaged in the business who still adhered to the Democratic faith. The outrages practised under this new law, both in New York and Brooklyn, but chiefly in this city, would fill a series of volumes as bulky as those comprising the Encyclopedia Britannica; and it would be idle for me to attempt to enter into the details. But a single exemplification of the manner in which the "machine" was "worked" may not be out of place. In the proceed-

ings of the Excise Board, May 17, 1866, appeared the following, copied from the official report made by the police of their examination into the affairs of two venders of liquor, who were applicants for licenses under the new law:

"Moses O'Neil, coroner of Doughty and Columbia streets, Brooklyn. Bad record."

O'Neil produced a paper to show his good character.

Mr. Kennedy, Superintendent of Police—"Oh, it does not matter what other people say. This list, furnished by the police, is what we go by. Your neighbors do not know you as well as the police; your father does not know you as well; and of course your wife does not know you either."

Mr. O'Neil retired in disgust, and without a licence.

"Peter Tucker, 97 High street, Brooklyn. Had bad record at one time. Peter is a colored man; has both blacks and whites at his house."

Commenting editorially on this, a leading Democratic paper of the period said:

Mr. O'Neil was endorsed as a man of unimpeachable moral character; but he is a poor man and votes the Democratic ticket, and those are offences not to be condoned. Peter Tucker, the colored man above referred to, who had kept a place which was an intolerable nuisance, a rendezvous for blacks and whites, for all ages, sexes and conditions, was licensed without any difficulty, and his den is privileged to remain in full blast. But, then, he is sound on the Radical "goose," and votes the right ticket; and that is sufficient to cover all the sins in the Decalogue. These two cases exhibit a practical view of the working of the new law.

Men of German lineage in the metropolis had been in the habit of spending Sunday in company with their wives and friends in the capacious gardens of the city, where fresh air, green trees, fragrant flowers, with the charms of music told them that the Sovereign Ruler of the Universe designed that all His human creatures should partake of His bounty, and that such as were yoked to toil and miasms for six days of the week should have respite and relaxation on the seventh. But, under the new law, this idea was to be eliminated from the Divine economy; Sunday, the poor

man's day of rest and recreation, was to be made a day of gloom and privation. Hence, instead of making friends of the German element for the Republican party, the effect of the new Excise law was to turn them almost to a man against it—that is to say, secretly so; and every saloon-keeper in the city, for his own protection and preservation, while compelled for the time to abide by the provisions of the obnoxious law, secretly determined to work with all his might to secure its repeal.

At the opening of the Legislative session of 1868, the hearts of the sorely oppressed saloon-keepers grew buoyant with the hope that at least some modification of the existing oppressive law would be obtained; for the Democracy were in the ascendant in the Assembly, the Republicans had a majority of only two in the Senate, and Senator Tweed had promised them that he would use all his influence in that body to secure a repeal of the law, or, at least obtain some modification of it. But, while a repealing bill passed through the Democratic Assembly, and received the support of all Democrats in the Senate, the Republican leaders determined, owing to the pressure made upon them by the Sabbatarians throughout the State, (who demanded a Puritan Sunday for New York,) to make the retention of that enactment on the statute book a party measure, and the session ended with none of the relief expected. Never before was so large a majority (upwards of sixty thousand) rolled up for the Democratic ticket in New York City as was recorded at the ensuing Fall election. This response of the metropolis brought the Republicans to their senses, and the obnoxious Act was afterwards modified, so far at least as to grant the saloon-keepers some relief from the espionage and blackmailing to which they had been subjected. But, from that period to the present time, the saloon-keeper has, of necessity, been a considerable factor in municipal politics.

Incidentally I may remark that it was part of the original charter of New York, according to old time records, that the officials of the city government should be paid from an Excise tax. It can therefore be seen that, from the beginning, it was the policy of the city authorities to encourage, not to oppress, taverns and public houses. In New Amsterdam the taverns were under the special control and protection of the city government, which regulated all their details and protected their proprietors in all their rights. The law even regulated the precise amount of liquor which was given or could be demanded for a drink. Any man who "beat" the barkeeper, or did not pay his bill, was ostracized as well as punished. Originally the New York taverns were, in fact, used as District Courts. The magistrates decided local disputes at the local taverns. And as the Court held its sessions and rendered its decisions at the taverns, so the fines imposed by the courts were often taken out in drinks. The Judges, witnesses and all concerned, including the plaintiff and defendant, would order their drinks, and take them together, and then the party against whom decisions were rendered would pay for them—a pleasant way of paying a fine, especially for the landlord! When the Dutch surrendered New Amsterdam to the English, the courts became more dull and dignified. Regular halls of justice were established, and the tap-room ceased to be a court-room; nevertheless, under the English as under the Dutch, the New York tavern continued to be a political centre, and it has so remained down to our own day.

I referred above to the influence brought to bear upon the Republican leaders by the Sabbatarian extremists. The attempts of bigots years ago to revive the odious and obsolete Sunday "blue laws," under the name of religion, did more to disgust the public with Sunday and religious matters generally than all the infidels in the country put together. The Metropolitan Police force was always made

the tool of the Sunday bigots, and, under the pressure of a self-organized Sabbatarian Committee, once brought to bear upon the Commissioners, an order was issued from headquarters for the arrest of all venders of Sunday newspapers. Under this determination to have a "Christian Sabbath," two newsboys, instigated directly by Satan to support themselves by selling Sunday papers, were arrested by three God-fearing policemen and taken to a station-house; but they were promptly discharged by a fearless and upright Justice.

The then Superintendent of Police, John A. Kennedy, having resigned his position in April, 1870, after twelve years of service, the Sabbatarians looked round to find, if possible, someone who would more recklessly carry out their extreme notions; and they discovered one Amos Pillsbury, who had for many years been Warden of the Connecticut State Prison, as his father before him had been, and who was noted for the severity of his will. Bringing influence to bear, they succeeded in having him appointed Superintendent of Police in this city; and he promised to be "a pink of perfection" from their stand-point. Under the inspiration of the Sabbath Committee, he made a fresh start on the Sunday question, and determined to give the metropolis a first-class "Christian Sabbath"—a Sunday so sacred that nothing but physic should be sold, and only on a doctor's certificate. Only pills were sacred under Pillsbury. You could have your Sunday jalap, but not your Sunday julep; under Pillsbury you could swallow a whole quart of laudanum, sooner than a drop of liquor; strychnine was accessible, but cigars were not; if a starving beggar had a quarter given to him by some kind-hearted person on the Lord's Day, he would have to stay hungry and thirsty until Monday morning, for he could not sooner spend the quarter for food and drink without being liable to arrest. And all this did not take place in a lunatic asylum, among incurables,

but was supposed to be carried out as the law in the largest city in the United States, and which ought to be the freest city in the world.

Such arbitrary and uncalled for proceedings, with others of like character, so outraged the leading business men of the community that they issued a call for a mass meeting of citizens to protest against such exhibitions of what they called "pea-nut piety." The hall of Cooper Union was crowded to overflowing; and this demonstration settled the Sunday "blue law" question and Mr. Pillsbury. One month of Pillsbury Sundays and one Cooper Union Mass Meeting had the effect of corking-up Sunday law bigotry for that time.

Here I may remark, and it is a well authenticated fact, that an attempt to stop the carrying of mails on Sunday, to oblige the Sabbatarian element, lost Henry Clay, or, rather, the Whig party, a Presidential election. The mails from Philadelphia to New York passed through New Brunswick, New Jersey, by coach, every Sunday, and the mail-coach rattled through the streets of that genial town about church time. One of the ministers of New Brunswick, the pastor of the church attended by the Frelinghuysen family and other "big bugs," protested against "this unseemly interruption" and stirred up Mr. Frelinghuysen himself about it.

Mr. Frelinghuysen, besides being a United States Senator from New Jersey, was a religious man, a member of the church, a teacher of the Sundy school and a warden of the church. He was obliged to feel, or pretend to feel, about this matter as his pastor felt; so he, too, got indignant about this mail-coach nuisance. But parson's protest and church wardens' indignation did not stop the United States mail; and so the coach thundered along every Sunday at about "meeting-time." Finally, the parson, almost frantic over this Sunday mail "outrage," persuaded his

warden to use his political influence in the matter. When a parson meddles, or gets others to meddle, with politics, he generally gets his friends into some sort of trouble, and the Frelinghuysen affair was a most memorable and striking example of this truth.

Frelinghuysen was a prominent Whig, and a valued friend of the great Whig leader, Henry Clay, the dream of whose life (having aimed for it in 1824, '32, '40, '44 and '48) was to be President. Though somewhat of a bigot, Frelinghuysen was no hypocrite. He was widely respected and esteemed, and, on the whole, a very worthy and honorable man. But he made one great mistake. To gratify his parson, he introduced a bill into Congress to stop the carrying of mails on Sunday—a bill which would injure the business interests of a vast country in order to obviate a two minutes' inconvenience to one querulous minister. The Congress of the United States "sat down" on this bill, as might have been expected; and when the Whig party unwisely nominated Mr. Frelinghuysen for Vice-President in the Fall of 1844, at the same time that Henry Clay for the second time was put in nomination for the Presidency, the people of the United States made it a point to "sit down" very heavily on Mr. Frelinghuysen for his anti-Sunday Mails bill. The opposition stirred up against him by the business men of the country, on account of his anti-Sunday mail proclivities, defeated not only him, but also Mr. Clay.

The contest between Polk and Dallas (Democrats) and Clay and Frelinghuysen (Whigs) in the year 1844 was a very close one.

There was no electric telegraph at that period, and it took several days, sometimes eight or ten, before decisive results could be had. For some reason or other, the canvass of votes in the States of New York and Pennsylvania was very much behind the usual time; but as they were gener-

ally classed among Whig States, it was conceded that, if normal conditions had prevailed in those localities, Clay and Frelinghuysen had carried them. Some of the more exuberant of Whigs, who could not abide the slow issue of the election canvass, hired a band of music, and in the evening proceeded to an up-town hotel at which Mr. Frelinghuysen was temporarily stopping, and gave him a serenade of congratulation upon his election as Vice-President of the United States. Mr. Frelinghuysen appeared on the balcony of the hotel, and, being assured by his over-enthusiastic friends that "there was no doubt of his election," he indulged in a short speech of thankfulness for the honor that had been conferred upon him, and, after more music by the band, retired for the night, firmly believing that he had been, as his friends assured him, elected. But, alas! in a day or two the mails brought in the returns from the back counties of New York and Pennsylvania, which went to show that those States had both been carried by the Democrats, and Mr. Clay had again been defeated—this time only by a majority of forty thousand in the entire Union. All his friends believed, and it was no doubt true, that but for the opposition which had been stirred up by the business men of the country against his "running mate," on account of the attempt to interfere with the running of Sunday mails, the "Mill Boy of the Slashes," as Henry Clay was designated, would have fully realized his fond anticipation—that of being President of the United States.

Up to the year 1871, the statute-book of this State was still disgraced with various old enactments, intended to enforce, by threats of punishment, a puritanical observance of Sunday. One of those effete laws prohibited travel on that day except going to church; and it was this ridiculous provision which the Staten Island Ferry Company successfully invoked as a defense against all claims of damages suffered in consequence of the terrible explosion on one of

the company's boats, the Westfield, in July, 1870. As those who were on board the ferryboat were traveling on a Sunday, and not going to church, they were themselves transgressors of the law, and had therefore no legal status in Court, and could not recover. The effect of this dreadful accident was to secure an amendment of the laws of this State, so as to make Sunday traveling legal and to give any person injured on that day the same right of redress as if he had been hurt on a Monday.

But bigotry is not entirely extinct. It was only a short time ago that the Delaware, Lackawanna and Western Railroad, of New Jersey, began to run Sunday passenger trains. The previous refusal to do so was a survival from a former generation, when there were more men than there are now who thought it wrong to supply facilities for travel on Sunday. Scarcely had the railroad company awakened from its lethargy and granted this long-wanted public accommodation, than some of the clergy of Hoboken and other localities remonstrated against the action of the directors, and called upon church members to punish the company by patronizing during the week, if possible, any means of transportation other than that of the offending corporation. The directorate of the railroad had the good sense, however, not to weaken in its progressive ideas, and real estate in the vicinity of the line of railway being much benefitted, in consequence of the increased transportation facilities, the distressed parsons were compelled to "switch off" their unseemly vituperations and accept the situation.

On the threshold of the twentieth century, the American people will not tolerate offensive bigotry of any kind in any direction. This profound truth was so fully exemplified in this city a quarter of a century ago that no attempt has since been made in the metropolis to revive the ancient and musty Sunday "blue laws." I do not forget or ignore the hysterical attempts made to enforce an unpopular Excise

Law in recent years under the Police Board composed of Commissioners Roosevelt, Parker, Andrews and Grant. But the statute they sought to enforce, although assailed as "a blue law," was not so obnoxious as those to which I have previously referred.

LETTER XI.

BOSS TWEED'S APPEARANCE AS SENATOR AT THE STATE CAPITAL —HIS AMBITION GOES MARCHING ON—FEEBLE ATTEMPT TO CHECK HIS PROGRESS—HE ELECTS THE SPEAKER, "FIXES" THE COMMITTEES, AND SETTLES DOWN TO BUSINESS—AN UNEXPECTED "FIRE IN THE REAR"—MAYOR HOFFMAN CONFRONTED WITH A REALIZING SENSE OF HIS POSITION—THE OLD TAX LEVIES AND THE ART AND SCIENCE OF LEGISLATIVE LEGERDEMAIN—HORACE GREELEY'S SCATHING DENUNCIATION OF TWEED AND THE TAMMANY LEECHES.

MY DEAR DEAN:

As stated in a preceding letter, when Boss Tweed set foot in Albany at the opening of the month of January, 1868, he was almost "monarch of all he surveyed." But he knew that there were "other worlds to conquer." He had brought with him from the metropolis four lieutenants, Senators like himself, experienced in the arts and mysteries of New York politics, and all capable assistants whom he could rely upon in legislative emergencies; in addition to these he could number among his retinue twenty Democratic Assemblymen (most of them on the City pay-roll) who would respond to his word of command whenever their services were needed. But, in order the better to "hold the fort," he determined (the Democrats then being in the ascendancy in the Assembly) to capture for one of his henchmen a very important outpost, the office of Speaker, in whom was and still is lodged the appointment of all the Committees in the body over which he presides, and who was and still is clothed with what may be regarded as despotic power in certain stages of legislation, having the ability, by his recognition of motions for "unanimous consent to suspend the rules," to advance the measure of any of

his friends on the floor of the House to what is known as a "third reading," without having to go through the long and tedious formalities of legislation. The remnant of what was known as "The Albany Regency," which had controlled the Democratic politics of this State for more than half a century, and to which Samuel J. Tilden, the head and front of the Democratic State Central Committee, had long been attached, and who *was* the remnant referred to, had become a little jealous of Tweed's rising power in the State. When Tweed put Assemblyman (popularly known as "Billy") Hitchman, from New York City, in the field as a candidate for the position of Speaker, he was confronted by opposition from the source of which I speak, in the person of John L. Flagg, the then popular Mayor of the city of Troy, and a representative in the Assembly from the county of Rensselaer. But, with the conscious power of a "well-fixed" gladiator, Tweed entered the arena of the Democratic caucus behind his chosen favorite, Assemblyman Hitchman, and, in the language of the reporter for a Republican newspaper, who described the somewhat exciting scene, "slipped around like a porpoise among the small fishes of the Assembly, varying the performance, now and then, by reverently raising his hands and blessing his dearly beloved Democratic children." I scarcely need add that Hon. Wm. Hitchman was the Democratic caucus nominee for Speaker, and soon thereafter became the ruling power in the House of Assembly.

This new triumph was an additional feather in Boss Tweed's cap, and as he reclined, after the consummation of his purpose, in his capacious suite of seven richly-furnished rooms on the second floor of the Delavan House, Albany, with attendants (of course on the municipal pay-roll) to guard the outer doors, he could look with almost unalloyed satisfaction at his surroundings, and, if not exactly "every inch a king" he felt that he was very near the topmost round of

the ladder of his ambition. In the metropolis he had under his control at least three, if not four, of the five Judges of the Supreme Court (for I omitted to state, in a former letter, that at the same canvass, 1867, in which he was elected State Senator, he had also had elected as a Judge of the Supreme Court Albert Cardozo;) he also controlled the Judges of minor courts; the Mayor of the city, John T. Hoffman; the Comptroller, Richard B. Connolly, who had then but just entered upon his duties, (elected only in the preceding November,) but whom Tweed knew as an "apt scholar"; the Counsel to the Corporation, Richard O'Gorman, a very valuable and capable law adviser; the District Attorney, A. Oakey Hall, one of the brightest members of the New York Bar, at that period; the Recorder, John K. Hackett, also an able jurist and the talented son of a once popular comedian; the Street Commissioner, the amiable George W. McLean, Tweed's then "superior officer," but who was simply a figure-head in the position; and also the presiding officers of the Boards of Aldermen and Councilmen. And now, in addition to all these, he was, through his friend the Speaker, actual Boss of the Assembly of the State, and he was also strongly entrenched in the Senate. All that then remained to fill up the bill of his aspirations, was to get possession of the citadel at Albany, for which he had once aimed and which was then occupied by Governor Fenton, a Republican. This he had now determined to secure at the very first opportunity, and at all hazards.

But "uneasy lies the head that wears a crown," and annoyances are the common lot of humanity. The seats around the circle of the Senate chamber in the then old brown-stone Capitol (for the present extensive and expensive twenty-million dollar Capitol, a job inspired by the residents of Albany to head off a growing desire to designate New York City as the Capital of the State, was not at that

time commenced) were not of sufficient capacity to accommodate the magnificent proportions of the Boss, as he discovered the first day he attempted to take his assigned chair; and he had to hold a sort of levee in the cloak room during that session of the Senate, while the Clerk of that body immediately ordered and had ready for the next day's session a special seat, larger, stronger, and in every way adapted to the emergency.

Tweed's next step was to get himself comfortably fixed on the Senate Committees, and this he managed to do through the agency of his Republican associate in the New York Board of Supervisors, "Hank" Smith, a prominent leader in Republican politics. In this way Tweed secured a position on the Finance Committee, through which all appropriations of whatever kind had to pass; and on the Committee of Internal Affairs, which would have control of most of the subordinate legislation of the State, to which would be referred the "local bills" introduced by Senators from the interior, and which would also have charge of Excise measures, in which the city of New York was then especially interested; and he also managed to have his four Senatorial friends from New York located on "outposts" or Committees which best suited his purposes and would give him through them greater "influence." Then the Boss, having also arranged, through the Speaker, all the important Committees of the Assembly to control the members of that body, settled down and was ready for business.

Distinguished for being composed of many men of great ability was that body of which Tweed was a member in 1868–69. The Presiding officer was Lieutenant-Governor Woodford, a Republican in politics, and a gentleman who has since filled many important postions, more recently that of Minister to Spain, prior to recent hostilities between that country and the United States; while the leader of the Republican party in the State, Judge Chas. J. Folger, who

subsequently filled the position of United States Secretary of the Treasury, and Justice of our Court of Appeals, was also one of Tweed's brother Senators, on the Republican side of the House. Then there was Judge George N. Kennedy, from Syracuse, and Judge Matthew Hale, from Albany, also Republicans. Among the Democratic members were Henry C. Murphy, formerly United States Minister to the Netherlands, and James F. Pierce, subsequently for many years State Superintendent of Isurance. Always kindly diposed, helping his brother Senators as best he could to advance their matters of local legislation in which no party politics were concerned, Tweed became very popular in the State Senate, and being broad-minded, hospitable and generous, he was much respected and esteemed, and by no one more than by the brainiest and the then most statesmanlike leader of the Republican party, to whom I have referred, Judge Charles J. Folger.

I do not purpose to speak in detail of Tweed's career in the Senate of which he was then a member. From what I have stated you will be able to conceive that from his vast political influence and surroundings, and with all the capabilities at his command in the City of New York to obtain a supply of "the sinews of war," he was almost a dictator. But, then, there are one or two incidents of a somewhat remarkable character that occured during his Senatorial life, which will no doubt interest you, and to which I shall presently recur. Before so doing I desire to give you some explanation of the "Tax Levy" features of our State legislation, to show you why Tweed had a special interest in those measures, and to narrate an incident which will illustrate some of the "statesmanlike" capabilities of the Boss.

A trite adage says that "when the cat's away the mice will play." In verification of the proverb, while Tweed was busy, and much engrossed with affairs of State at

Albany, a rumpus occurred in the house of his friends in New York. The Common Council, composed of the Board of Aldermen and Board of Councilmen, had excited a great deal of criticism in the public press concerning the passage of ordinances which were denounced as "jobs," &c., but much of this denunciation was doubtless exaggeration, as the Mayor, John T. Hoffman, a man who believed he had a future, promptly affixed his approval to the measures. At the particular time to which I now refer, however, there had been passed by the Common Council an ordinance for the "opening, regulating and improving of the avenues or boulevards north of Central Park," a somewhat "gigantic" ordinance, which not only deluged the Mayor, the day after its passage by the Common Council, with an avalanche of remonstrances, but caused his office to be besieged by some of the most prominent taxpayers vehemently opposed to what they called "the monstrous steal." And the Mayor, forgetting, perhaps, for the moment, that his political creator, Boss Tweed, was then Deputy Street Commissioner (a bureau of the city government which had charge not only of the opening, altering regulating, grading and flagging of streets, but the construction and repairing of public roads, the building, repairing and lighting of wharves and piers, the care of public buildings, and the lighting of streets, roads, places and avenues) or, perhaps, in the innocence of his heart, believing that it was a part of his duties to act occasionally for the interest of the public at large, at once vetoed the offending city ordinance. Then there was a row which extended "up the river," as was the then customary phrase of politicians when referring to Albany.

It was generally understood at the time that there was a lively scene in the Mayor's private room in the City Hall, the next day, when the Boss had occasion to absent himself from the State Capital. Certain it is that, as a

result of his visit to the metropolis, and after his return to the Senate chamber, there appeared in the Albany correspondence of the New York papers an announcement that "Tweed was arranging matters to be a candidate for Governor at the ensuing Fall election." It was the New York *Sun*, I think, which put it in this way:

"The last political move is the trotting out of William M. Tweed for Governor. Mayor Hoffman has no friend among the New York Democratic leaders except it may be Mr. Sweeny; but this gentleman is only a plotter. Tweed makes the combinations, and Tweed has commenced to canvass for himself. He can secure the nomination."

This announcement was a dreadful piece of "handwriting on the wall" for Mayor (hoping-to-be-Governor) Hoffman, and it caused a commotion in his bosom. As a result, there was a conference at the City Hall, at which Tweed was not present, but certain members of the Common Council were, and in less than three days after the announcement above referred to, the "monstrous steal" embraced in the ordinance to which I have referred, was passed over the Mayor's veto. All matters pertaining to improvements of streets received thereafter the "most careful consideration," from his Honor, and he indulged in no more vetoes of the kind which had produced so much disturbance. Quietude having thus been restored among the members of the "happy family," when the Democratic State Convention for the nomination of State officers was held, in the ensuing month of October, Mr. Tweed carried out the purpose he had so long in view, nominated Mayor Hoffman for Governor, to which position he was elected, and thereafter there was no misunderstanding or difficulty between the Governor and the Boss—the current of their lives ran smoothly on.

To return now to an explanation of the "Tax Levy" or, more properly speaking, the "Tax Levies," for, at this period, there were really two sets of officeholders in charge

of the municipal government—the Common Council, composed, as I have before stated, of the Board of Aldermen and the Board of Councilmen, and the Board of Supervisors—the former having charge of all "City" affairs and the latter taking charge of all "County" matters. The Comptroller, therefore, prepared two budgets, based upon answers made to his inquiries by the different departments of the municipal government. One of these, the "County Budget," he would send to the Board of Supervisors, and the other, the "City Budget," he would transmit to the Common Council. These two honorable bodies would sit, like hens, upon their respective budgets, hatch out of course more "eggs," and respectfully request the city's financial head to prepare the necessary "Levy" bills for submission to the Legislature. Whereupon the Comptroller would have them prepared, and send the Bills to the Speaker of the Assembly, who after presentation would refer the proposed measures to the Committee on Affairs of Cities. This proceeding was generally gone through with in the month of January or the early part of February; but it was rare indeed that the bills were ever reported from the Committee to which they had been referred until a day or two before the close of the session. In the meantime, the budgets kept swelling like the waters at flood-tide, and when the bills finally saw the light and were laid upon the Speaker's desk as reports from the Committee, they contained all manner of additions, "jobs" innumerable and inexplicable, "which" as was well said, in the progress of discussion, "were not called for by any but plundering beneficiaries." Of course, on the heel of the annual session, the mass of rural members of the House were anxious to return to their homes, from which many of them had been absent for months, and as they had no interest in these local budgets, and were too impatient to satisfy themselves whether or no the hundred or more paragraphs of multitud-

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RICHARD B. CONNOLLY.

inous items comprised in the bills were right, they generally made up their minds to throw the responsibility of such examination upon the Governor, who had to approve of the measures, and in casting their votes would simply follow the lead of the New York members and respond aye to the roll call for the passage of the bills.

In the City Levy of 1868, there was an innocent-looking paragraph of only five or six lines, which gave the Comptroller of New York City authority "from time to time," to appoint and fix the compensation of so many clerks and employes "as he might deem essential to the effective discharge of the Department of Finance." Before he got through with the "essential" part of this business, it was generally understood that a representative of nearly every Republican member in the Senate and Assembly who had voted "aye" for the Tax Levies was numbered among the sinecure Brigade of the Finance Department.

"When a dog's brains are out, it is supposed to be dead," and when the Tax Levy Bills passed both Houses of the Legislature, you might suppose that that was their "finish." But it was not. For some mysterious hand, generally supposed to be Tweed's private secretary, (who was always "around" when the Tax Levies were under consideration, and especially when Conference Committees were appointed by both bodies to adjust any differences on the part of the Senate or Assembly in relation to the Levies,) made it his business to get the last handling of the bills ere they went to the Clerk's desk to be engrossed for the signatures of the presiding officers before presentation to the Governor, and rumor stated that this sly manipulator would adroitly slip into the officially endorsed coverings of the bills that had been before the Legislature, exact duplicates of the amended Tax Levies, with such new additions as were required to carry out the purposes of the Ring, and as the records of both Houses would show no objections to

those additions (for they had never been read in either body) the bills would go to the Governor as if these additions had been ratified by both Houses and they would thus receive his approval.

An incident in connection with the Tax Levies, and to exemplify the items of "jobbery" which they were supposed to contain, is perhaps worth appending: Just before the close of the Legislative session of 1868—and when the Assembly, having cleared the Speaker's desk of all Senate bills, took a recess for an hour to enable the Senate to finish the third reading of bills which had been sent from the lower House,—a "mock" session was held, when Assemblyman "Tony" Hartman (always full of fun) being called to the Speaker's chair, kept the house in a roar by his excellent mimicry of the peculiarities of President Woodford of the Senate, and those of the Speaker of the House, and at the same time making most amusing "rulings." One of the members—I think it was Henry Nelson, representative of the Third Assembly District of Westchester County—to add to the fun of the recess, inquired of the mock Speaker, if the City Tax Levy was before the House, and, receiving an affirmative answer, asked "unanimous consent" to insert in the Bill a provision for "an appropriation to Patrick Muldoon, for holding the shadow of Mayor Hoffman on a dark night, the sum of forty thousand dollars." This hit at the scores of similar appropriations contained in the Tax Levies, in theatrical parlance, "brought down the house," which was followed by another volley of laughter, when the mock Speaker replied: "If the gentleman from Chesterwester"—miscalling the county, to carry out the fun of the evening—"will strike out the words 'Mayor Hoffman' and insert 'Governor Fenton,' the Chair will decide his motion carried."

To illustrate the spirit of the press at this period, I cannot do better than append an editorial of much force,

written by a man of great political eminence. Horace Greeley at the close of the Civil War, which by his powerful anti-slavery advocacy he had done so much to hasten, now, when the armed strife was ended, desired to do his part toward cementing the shattered Union, and set his heart upon going to Congress. In the fall of 1866 he obtained a nomination, and was badly beaten. This defeat rankled in his bosom, and having somehow got the notion in his head that Tweed was the chief cause of his discomfiture, he kept "a rod in pickle" for the Boss. So, when a paragraph appeared in the local news of his paper, the *Tribune*, stating that a young man who had recently held an office under the Tammany City administration, had committed suicide, Mr. Greeley made up his mind to give expression to his feelings, and this is the way he did it:

"We wonder if our readers know the terrorism of Tammany Hall. Look at the men who control it. William M. Tweed, rich with the plunder of a hundred jobs, fat, oily and dripping with the public wealth—the head and centre and front of every job that has disgraced New York for ten years. In a little while he has risen from obscurity to wealth and power, and all by the terrorism of Tammany Hall. His chief confederate is Peter B. Sweeny, who has also risen by the influence of Tammany Hall. Sly, patient, hidden, never seeing the sun—the man who arranges the wires and shifts the scenes and intrigues—Sweeny is known as the Mephistophiles of Tammany. Then we have John T. Hoffman, who is kept by Tammany Hall as a kind of respectable attache. His humble work is to wear good clothes and be always gloved, to be decorous and polite; to be as much a model of deportment as Mr. Turvydrop; to repeat as often as need be, in a loud voice, sentences about 'honesty' and 'public welfare,' but to appoint to rich places such men as Mr. Sweeny. Hoffman is kept for the edification of the country Democrats, but all he has or ever can have comes from Tammany Hall. Then we have O'Gorman—the greediest man that ever came into Tammany Hall, we are told—elected as a Reformer, but like most Reformers, alas! more ravenous and avaricious than the men they succeed. Then comes the stealthy and silent Purser—the Tammany 'What-is-it'—who quietly piles up a large fortune out of the old clothes of Tammany Hall. Purser is the Shylock of the concern, and is good for anything, from a poor devil of a placeman's warrant for

two weeks' salary up to the opening of Church Street—the richest kind of a placer. So they live, and fatten and grow rich, and aim to control the State.

"All other Democratic organizations are owned by Tammany Hall—one and all are under the influence of this tyranny. Sometimes it is beaten and a popular 'Reformer' elected. Tammany corrupts him, and in a fortnight the Reformer is carrying out the orders of Sweeney or dividing up his fees with some of its leaders. The leaders make the money, the followers give it. No one can hold a place under Tammany without being compelled to 'stand and deliver' a portion of his pay whenever Mr. Sweeny or Mr. Tweed fancies 'the party needs some money.' This is the strength of Tammany Hall. Its leaders hold the Treasury as Rob Roy and his thieves held the Highland Passes. Whoever comes their way must pay toll, for Tammany must live and its leaders must revel in wealth. Some poor devil of a placeman, driven to beggary, may kill himself, like the one who, the other day, found that to pay a tax of some kind, the Tammany Committee had quietly taken the remnant of his salary, some Tammany money-broker having discounted a portion of it for him in advance. Who cares? Mr. Tweed will soon find a successor, and Mr. Purser will cash his warrant in the oiliest and quickest manner for twenty per cent."

Horace Greeley was one of the three greatest editors this country has produced, and rivaled the elder James Gordon Bennett and Henry J. Raymond in the vigor and venom of his pen. He never stopped to mince words when he made up his mind to let himself out; and yet, personally he was an amiable, kind-hearted man, as was evidenced by the fact that when Jefferson Davis, President of the Confederate States, was arrested and held in $100,000 bail, Mr. Greeley headed the list, with Commodore Vanderbilt and Gerrit Smith (the great Abolitionist advocate) taking upon themselves liabilities of $25,000 each, the remaining $25,000 being made up by citizens of Richmond, Va. You doubtless remember that this action and his friendly leaning toward the conquered Southern States soured the extreme Radicals in his party, although it warmed the Democrats toward him; and when, in 1872, he was nominated for the Presidency by what was called the Liberal Republicans of the country, and endorsed by the Democracy, Tammany

Hall (then, however, minus Tweed) gave him, notwithstanding his former vituperation of it, a very hearty support. But the result of the canvass was a disastrous defeat for Greeley, and about three weeks thereafter (Nov. 29, 1872) he died, believing, no doubt, with Wolsey, that, had he served God with half the zeal he had served the Republican party, "He would not have so deserted" him.

It would seem to have been Greeley's fate to meet with disappointment in all his political aspirations, except when he ran for Congress from one of the New York districts, in 1848 and was elected to fill a three months' vacancy. For, in 1861, at the breaking out of the Civil War, when he desired to obtain a seat in the U. S. Senate, he was defeated by William M. Evarts. In 1864, deeming the Confederate cause moribund, he petitioned the President to send a Commissioner to confer with alleged Confederate representatives in Canada, with a view of terminating the strife. Lincoln listened to the suggestion and appointed Greeley to inquire into the matter. But Greeley found his mission unsuccessful. Then he was defeated, when he again tried to reach Congress in 1866. In the following year he made earnest efforts to capture the Senatorial seat he had sought to obtain six years previously, but his liberal views on general amnesty barred him from success. In 1869 he was made a candidate for Comptroller of New York State on the Republican ticket, and defeated; which fate overtook him again when, in 1872, he was a candidate for the Presidency.

LETTER XII.

MEMORABLE ERIE RAILROAD CONTEST—JUDICIARY OF THE METROPOLIS USED AS BULLS AND BEARS—ACTION OF AN ERIE STOCK-HOLDER AGAINST JUDGE BARNARD AND COMMODORE VANDERBILT FOR JOINT CONSPIRACY—MILLIONS EXPENDED IN LITIGATION AND LEGISLATIVE LUBRICATION TO SAVE MILLIONS FILCHED FROM THE PEOPLE—THE "BLACK HORSE CAVALRY" ON THE RAMPAGE—EAGERNESS OF AN UNSOPHISTICATED LEGISLATOR TO BE CORRUPTED—SUDDEN COLLAPSE OF HIGH EXPECTATIONS—HOW TWEED MANAGED TO BE ON BOTH SIDES IN TWO BIG FIGHTS—LITIGATION WHICH ENDED IN MURDER—THE BODY FOUND FLOATING IN THE NORTH RIVER.

MY DEAR DEAN:

In my last letter I stated my intention to refer to some incidents of peculiar interest which occurred during Mr. Tweed's Senatorial career, and with which he was somewhat identified. Of these, perhaps, the most remarkable was that which was known as "the great Erie Railway fight."

There had long been considerable trouble in the Erie Railway management; it was always more or less in hot water; but along about 1867–'68, at which time Daniel Drew had gotten Jay Gould and James Fisk, Jr. (as shrewd manipulators as himself) into the Board of Directors, the Erie Railway began to reach out for Western connections, and Commodore Vanderbilt and his son William H. determined, if possible, to head off these ambitious designs and secure a monopoly of the carrying trade of the country for the New York Central Railroad. In accordance with this purpose, Vanderbilt, through his agents and brokers, began to buy Erie stock. But Drew, who was a fervent churchman, and believed in the preaching of the gospel and in the building and endowment of houses of worship,

managed also to devote about six days in the week to Wall Street and its presiding deity, and he soon "got on to the game;" and, while Vanderbilt kept buying Erie stock, to the amount of nearly if not quite sixteen millions of dollars, the pious "old man," with the help of Gould and Fisk, had printing-presses at work, and kept issuing additional stock, until Vanderbilt discovered that, after all his large investment, he was no nearer his mark than when he first began to 'corner Erie." Ascertaining how Drew was "playing the game," Vanderbilt called off his agents and brokers, and turned his attention to litigation, in which Drew was called upon to refund fifty-eight thousand shares of stock "illegally issued;" Jay Gould was charged with "pocketing several millions"; and charges and counter-charges, injunctions and counter-injunctions were the order of the day. The fight was a very bitter one, involving the arrest of the Erie Board of Directors, who were brought before Judge Barnard, and (at the suggestion, perhaps, of Tweed who was on the side of Vanderbilt because, as he claimed, the Vanderbilts had always contributed liberally to the Democratic campaign fund) compelled to give heavy bail bonds, to appear and "show cause why they should not be committed for contempt," &c. Then Drew, Fisk, Gould and five other members of the Erie Board of Directors, finding the conditions becoming too hazardous for them, managed to escape, in rowboats, across the Hudson River, during a fog, and took quarters at Taylor's hotel in Jersey City, in the State of New Jersey, so as to be out of the jurisdiction of the New York Courts. Thus entrenched, the Erie Directors began to fight back still more bitterly, and induced one of the Erie stockholders to commence an action for conspiracy against the Vanderbilts and Judge George G. Barnard, charging them with "having entered into a combination to speculate in the stock of the Erie Railway, and with using the process of the Courts for the

purpose of aiding their speculations," &c. Then a gang of thirty or forty men proceeded to Jersey City to kidnap Drew, Gould and Fisk, inspired thereto by the offered reward of fifty thousand dollars! The best legal talent in the State was enlisted in this contest, and among those secured by the Vanderbilts was Charles O'Conor who, in open Court, denounced the Erie Directors as a "gang of thieves" who had illegally enriched their pockets to the sum of millions.

It soon became evident that nothing could be done to settle the Erie fight in the Courts. One Judge, on an ex-parte statement of one side, would issue an order which another Judge on an ex-parte statement of the other side would immediately set aside; and a Wall Street muddle, transferred to the Courts, made the Justices of the Supreme Court assume the character of bulls and bears, and the whole judiciary was seriously damaged in repute. Then the matter was transferred to the Legislature. Early in March, 1868, the following resolution was introduced in the State Senate and adopted by that body:

"*Whereas*, Grave charges have been made in the newspapers and before the Supreme Court in reference to the management of the Erie Railway Company, and that the general management of said company is controlled by persons who systematically make use of their positions to depreciate and destroy the value of the stock of said company, and that the directors of such company have issued a larger amount of stock than they are entitled by law to issue; therefore,

"*Resolved*, That a Committee of five Senators be appointed to examine into the condition of such company and into the said charges, with power to send for persons and papers."

This proceeding (emanating, it was supposed, from the Vanderbilt people) was followed in a day or two by a countermove on the part of the Erie Company, through the introduction of a bill in the Assembly to legalize the issue of ten million dollars' worth of stock by the Erie Railway Company; and in the meantime, to forestall

antagonistic proceedings on the part of the Legislature of the State of New York, they "persuaded" the New Jersey Legislature to grant large powers to the Erie Railway Company, Gould having purchased a handsome residence in that State, and the other directors promising to follow suit (as a further inducement to the Legislature and Governor of New Jersey to favor their Company) while Gould also promised that the principal office of the Erie Railway Company should be located in Jersey City.

It can readily be imagined that a bill proposing to legalize ten million dollars' worth of stock awakened unusual interest and spurred the lobby at Albany to feverish activity. Members of the Legislature who up to that time had been kicking themselves for being such fools as to come to the Legislature for the beggarly three hundred dollars then paid by the State for the services of a legislator during a session, (their pay now is fifteen hundred dollars and mileage,) began to "scent the battle from afar," and hotel and boarding-house keepers who had been a little scary about "hanging up" accounts for a longer period than two weeks, began to be more affable to those of their guests who were legislative members, and to have more confidence in their prospective financial ability. Poker games at night began to flourish, and saloon-keepers joined in the general good feeling which prevailed in anticipation of the "good time coming."

Fabulous amounts were promised, or said to be in store, for the friends of the Erie Bill. It was even stated, by some of the more enthusiastic of the country members (from that portion of the State through which the Erie railway runs, and the interests of whose constituents were wrapped up in the success of the railroad, upon which their own business advantages so much depended) that the Erie people were willing to "spend two millions, if necessary," to insure the success of the pending measure. There had

been almost a Lenten fast in the Legislature in the matter of "jobs." Members were poor and hungry after the long abstinence of the session, which condition may be best described by relating an episode in which a new and very much disheartened member of the disgruntled body of statesmen figured.

Popular belief accredited a member of the Legislature with ample opportunities for making a large fortune even in one term of office; consequently the hunt after legislative "honors" was brisk in the extreme. In one of the East-side Assembly Districts of the metropolis there was the wildest kind of a struggle for the legislative nomination. It was regarded as a prize of high value, and in the contest old friendships were broken, old associations sundered, and even family ties strained in the cyclone of excitement and discord arising out of the fight for the coveted honor. Each aspirant accused the others of seeking the office only for what money they could make of it, and it was an open secret that the anxiety to get the office was prompted by hopes of reaping substantial perquisites, which were mysteriously described as "bones." After a bitter contest, the choice at length fell on one Louis Winckler, a struggling saloon-keeper, who had acquired a certain popularity through his frank and open disposition. It may be instructive to note here that all but three of the dozen aspirants for the nomination followed the same laudable calling. Nevertheless, all irritation subsided after the nomination, and Winckler was triumphantly elected. It is needless to say that Winckler was, as indeed under the circumstances he had reason to be, a proud man. He knew, or thought he knew, that he had at last got the chance of his life. Nor did he have any hesitancy in giving expression to his expectations to rescue himself from comparative poverty. He had spent nearly a thousand dollars in the canvass, including three hundred and fifty dollars delivered as an

assessment to Tammany Hall, but such a sum was not to be deemed of much account in contemplation of what he was to make at the State Capital. Some of the wags, who knew something of his expectations in this direction, and who from experience could inform him, that, whatever hope there might be of making a "stake" after two or three years in the Legislature, when one had learned "to know the ropes," there was little opportunity for a first year member, resolved to have some fun, and joined in congratulating him on his chance to make a "barrel of money." Up to the day of his departure for the opening of the Legislature, these practical jokers had "jollied" him with visions of coming wealth, one of the cruelest of them advising him to be sure to open a bank account at Albany immediately after his arrival in that city. Every Friday evening, after his weekly return from the State Capital, some one of them would call upon him to ascertain the amount of "stakes" he had made that week. At first he would say it was a "little early yet, alretty," and that things would be all right, "for sure"; but his tormentors kept at it Friday after Friday evening with ruthless persistency, and at last some of them hinted that he was "getting fooled by the gang up in Albany," while others took an opposite view and continued to buoy him up with bright anticipations. Between hopes and fears he kept himself in check until the period arrived for the usual recess of the Legislature over Washington's birth-day. More than six weeks of the session had elapsed and his eager hands had not clasped the first cent of the expected spoils. He could stand the strain no longer, and he determined, in a business-like way, to ascertain where the hitch lay. So, on his way down to the City, he sought out on the train the Hon. Anthony Hartman, a countryman of his, better known as "Tony" Hartman, and said to him:

"Vot in hell dis mean, Tony? Six veeks have I alretty

in Albany been, and, nichts kommt heraus. Somebody must cheats me. I vants square deal, by Gott!"

"But you must have patience, my boy," said Hartman-suppressing his laughter; "wait a little longer."

"Der Teufel mit such Legislatoor; it humbug is! Tell me, Tony, ven beesness begins?"

"Well," replied Tony, "we have done lots of business up here this session."

"Oh, dot's not vot I mean, Tony, but ven vill de bones be given oud?"

His friend Tony now found it necessary to excuse himself and, borrowing the well-known expression of Samuel J. Tilden, said he would "see him later."

To resume my narrative: Everything after the introduction of the Erie fight seemed to favor the too oft postponed expectations of the "gentleman from New York" and others of like hopes, and the railroad quarrel was on all hands regarded as a fair and legitimate "feast of bones." Two huge speculators (sometimes spelled without initial "s") Drew and Vanderbilt, were striving to get the advantage of each other, and the general idea was that whatever could be "bled" from them would be legitimately earned. The prize was so dazzling that the members who were "up to snuff" determined to do no business through the lobby, but go straight to headquarters. Every man was, however, so suspicious of his neighbor that he feared the humiliating trick of being "sold out." Coteries of two or three were formed for protection—in fact, the members were divided into coteries throughout the House. The Boss element in the Senate was feared particularly by the New York boys, who wanted to be "let alone," and a caucus was held at Stanwix Hall, and a combination was formed for protection against the "leaders."

Legislative scenes and doings at this time were unusual and eccentric. All ordinary business was comparatively

neglected. Knots and groups gathered about the hallways and cloak rooms of the Capitol, talking in undertones. When night came, squads of half a dozen were seen going about from room to room at the hotels, learning the news or trying to ascertain one another's position. A source of much debate was the "tariff rates" which ought to prevail. Some "two-and-six-penny" fellows suggested one thousand dollars a head; but they were smiled at for their lack of boldness and for their unsophisticated innocence. The "rate" vibrated between two thousand and three thousand dollars, and some "upper crust" chaps, who ran Sunday schools at home and wore white neckties in the House, were unwilling to talk of anything less than five thousand dollars! The Erie people promised at the outset one thousand dollars—five hundred down and five hundred when their bill became a law. But none of the old birds could be caught with "such chaff." And the Drew men, at the outset, thus won for themselves a reputation for cheapness which handicapped their cause. The paltry offer of one thousand dollars (only half cash) was contemned, in view of the magnificent proportions of the wealth of the Vanderbilts. The friends of the latter had not, however, entered the Assembly portion of the field of battle; but they were expected; for Boss Tweed, when interviewed by some of the New York Assemblymen on the subject, told them to "Stand firm, and not commit themselves," and the first offer from Erie was, therefore, regarded as "an insult," and rejected.

Thus the canvass went on until the last of the legal arguments on the Bill before the Railroad Committee of the Assembly had been heard, and both sides had rested their cases. Then the Committee withdrew for an executive session, and the result of its deliberations was anxiously awaited. The excitement during this executive session was like that over the sitting of a jury when "out" in a great

trial. The Committee was tardy in making up its collective mind, and the more obstreperous of the members in waiting had almost determined to take the Bill out of the Committee's hands by a vote of the House. It leaked out that the Committee stood four for Vanderbilt, or anti-Erie, and three for Drew, or in favor of the bill. Meantime, those in control of the large body of expectants had become impatient over the delay of the gentlemen of the Committee, who seemed to be "waiting for something," and they asked for and obtained the introduction in the Senate of a duplicate of the bill under consideration in the Assembly. Two causes existed for this. In the first place, the filibusters in the Senate who were "on the watch" were jealous of their compeers in the Assembly. If the bill were not passed in the Assembly, then there could be no chance whatever for business in the "Upper House;" and, secondly, if the Bill were introduced in the Senate, it could be defeated in the Vanderbilt interest, or it could be passed in the Drew interest. In short, the Erie Bill was a gold mine which those of the Senators who were in the "deal" were unwilling to let the "smart ones" in the Assembly work alone. Hence the sudden introduction of the Erie Bill in the Senate.

Things were in this condition until the evening of March 26, when two startling rumors terrified all sides and parties. They were that Vanderbilt and Drew had come to a sort of compromise in New York, and that the lobbyists in the interests of the latter had suddenly withdrawn. A howl of indignation went up in every direction. Some of the members, more shrewd than others, made a rush for the subordinate lobbyists, and "wished to close" with them on the terms first proposed—five hundred dollars cash down. But the play was over; the star actors had gone home; the terms now so satisfactory were no longer offered. Dismay and distraction seized the several coteries which twenty-

four hours previously had been seriously contemplating "raising the ante," and individual members rushed about frantically as though each had been the actual loser of thousands of dollars. A most magnificent prospect of wealth had indeed vanished into air. The great war was supposed to be over; the attacking party had ingloriously left the field, and the victory was with its adversaries. Next morning the Assembly Railroad Committee reported unanimously against the bill, and the report was agreed to by a vote of eighty-three to thirteen—thirty-two disgruntled members (among whom were most of the Assemblymen of New York City, who were almost ready to shoot Tweed for telling them to "stand firm") being absent at roll-call.

Within a day or two, a member of the Assembly, E. M. K. Glenn, from the second district of Wayne County, made a statement in the Chamber that corrupt practices had been introduced by the lobby; that he had been approached and offered a bribe of five hundred dollars if he would vote for the Erie Bill; and he asked for a Committee of Investigation, which was appointed, and in the course of a few days this Committee reported that it had examined the books of the Erie Railway Company, as well as those of the New York Central Company, and found that "no money had been appropriated, drawn or used for influencing the Legislature." So glaring a sham, on the face of it, was this report that Mr. Glenn, indignant and disgusted, would no longer remain a member of such a body. He promptly resigned his seat. In the meantime, the Senate Select Committee reported that the Erie Company had "acted illegally in the issue of ten millions of stock," and recommended the passage of a Bill to "prevent such reprehensible actions in the future." A minority of the same Committee, in a report presented at the same time, declared the "extra issue of stock by the directors was valid," and

commended their action. Then Jay Gould came to the front (in the keeping of a New York Deputy Sheriff) at the Delavan House, Albany, to look after his bill, while Horace Greeley took a hand in the melee for Vanderbilt as against Erie; and, after considerable pulling and hauling, the friends of the Erie measure resolved to make an effort to force their confirming Act through the Senate, and succeeded in so doing by a vote of seventeen ayes to twelve nays, one member being excused from voting, and two members being absent. Subsequently, the same measure—not the original Assembly bill, but an amended Erie Bill—passed the Assembly, and doubtless the "Black Horse Cavalry" got some forage after all.

As the term "Black Horse Cavalry" may not be understood by you, it may be proper for me to state that, as applied to the State Legislature, it was understood to be an organization which was potent in the Assembly of 1868–'69–'70, the object of which was to allow no bill to pass the House which was intended to benefit anybody, and to threaten the passage of any possible bill intended to injure anybody, until they were through their leader consulted, and the matter was presented to them in a profitable light.

The tactics in reference to a bill which struck at some wealthy corporation or combination was to so far progress it in the Committee of the Whole as to show that it was likely to pass unless something was done. Then, when that something was done, the bill was killed and the Cavalry made a charge at some other corporation. At one session, when the Cavalry had expected some consideration from the Vanderbilts, and did not receive any, they hunted over the files, one morning, and having the numerical strength, ordered every bill they could find, calculated to injure the Vanderbilts, to a "third reading." This brought the Vanderbilt's agent "to Limerick," and when the bills came up on final passage, those men who had recorded

themselves in favor of "ordering the bills to a third reading," did not hesitate to change front in a body and vote against and kill them.

The passage of the Erie Bill by the Senate was followed by boisterously vehement charges of corruption. The public press was explicit in statements that one Senator especially (who had first signed a report antagonistic to Erie and afterwards added his vote to complete the seventeen necessary to pass the Erie Bill) had obtained fifteen thousand dollars from one side in the fight, then twenty thousand dollars from the other side, and, not yet satisfied, wanted one thousand dollars more for his son, who acted as his private secretary. It is proper to add, perhaps, that the Senator thus pointed out was not Tweed; for Tweed was not a member of the Investigating Committee referred to, and he did not have his son at Albany; but it was rumored that Tweed did a pretty stiff business during the Erie fight, in arranging for votes, of which the gentlemen who owned the votes knew nothing whatever. This, again, might have been mere idle gossip.

However, Senator Hale, indignant over the scandal thus created, presented a resolution reciting the public charges of corruption, and asked that a committee of investigation from the Senate be appointed. The resolution was adopted and the Committee appointed. Shortly after this, an amnesty was declared and another compromise made between Vanderbilt and Drew, which ended hostilities, so far as the Legislature was concerned.

But as soon as Vanderbilt was out of the contest with Drew, Gould and Fisk made a combination with Tweed, (who all through the Court fights and Legislative contests had been on the Vanderbilt or anti-Erie side, but who, like "Bre'r Rabbit," in the fairy story, "lay low,") and in accordance with this change of base, Tweed was made a director of the Erie Company—the bargain being that Gould

and Fisk were to so manage the affairs of their railroad and its influence as to secure the votes of the Southern tier of counties in this State, through which the road ran, in favor of the election of John T. Hoffman as Governor the ensuing Fall, and Tweed in return was to manipulate the Courts in the interest of the Erie, through two of his judges, Barnard and Cardozo. Then, in order to get square with Vanderbilt for all the trouble he had caused them, Gould and Fisk undertook to secure control of the Albany & Susquehanna Railroad, which would give to Erie a large portion of the New England trade that had heretofore gone to Vanderbilt over the New York Central. This resulted in a bitter controversy betwen the old Board of Directors of the Albany and Susquehanna Company (backed, no doubt, by Vanderbilt), in which repeated injunctions, as in the previous Erie litigation, were procured by the old management of the Albany Company, from Judge Peckham at Albany, and these injunctions were vacated, upon application of the Erie people, by Judge Barnard in New York; while Judge Peckham, repudiating Judge Barnard's orders to vacate, would issue notices for contempt proceedings, and so forth.

Gould and Fisk had now secured the Grand Opera House, at the corner of Eighth avenue and Twenty-third street, New York City, for the main offices of the Erie Railway Company, where they established their personal headquarters. Miss Josie Mansfield, who figured somewhat prominently in the newspapers at that time as the *chere amie* of James Fisk, jr., procured or was provided with a house in Twenty-third street, adjoining the Opera House, where, it was alleged, Courts were substantially held by Judge Barnard, at evening or night, and from which injunctions and orders of different kinds would proceed, while—the Sheriff and his deputies being under the control of Tweed—the papers issued by Judge Peckham for contempt

proceedings could not be promptly served; and, finally, Gould and Fisk, to make security doubly secure, began to absolutely refuse admittance at their offices in the Opera House to any one not known as an endorsed friend. At length, a new order was procured from Judge Peckham to punish Gould and Fisk for contempt, and so determined was the President of the Albany and Susquehanna Company this time to have the papers properly served, that he had his own son authorized to go to New York to make the service upon Gould and Fisk. The Susquehanna people now felt assured of success. But no return was made upon that writ; for the next day after his arrival the body of the President's son was found floating in the Hudson River, a corpse.

I shall not pursue this railroad quarrel any further at this time, although I may have something more to say of Gould and Fisk. It was only the connection of the fight with the Legislature during the period of the reign of the Boss that induced me to introduce it in this letter, presenting as it does a phase of legislation which, if not wholly extinct, has never, since the session referred to, offered such opportunities or been attended with such disastrous results to the hopes of the lobby and of members of the Legislature, who, like the "gentleman from New York" already described, were anxious for "bones" to be given out.

I cannot close this letter, however, without adding as a "finish" that, early in the session of the Senate, in 1869, after a long series of Summer sittings, Senator Hale's Committee of Investigation of alleged bribery and corruption attributed to members of the preceding Legislature reported "not proven." They discovered considerable smoke, but no fire. It was said that the Committee attempted to ascertain what consideration the then Governor, Fenton, received for his signature to the Erie Bill of that session;

but the Erie Railway people declined to answer, on the plea that the resolution under which the Committee acted did not call for that information. It was also asserted that when ex-Senator Thomas Murphy was on the witness stand he stated that, upon applying to Jay Gould for a contribution to the Republican State Committee, Gould declined, upon the ground that "he had already contributed $20,000 for Governor Fenton's expenses." This portion of the evidence, however, did not appear in Senator Hale's report.

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JAY GOULD.

LETTER XIII.

SURROUNDINGS OF A LOCAL POLITICAL BOSS—KEEN BUSINESS SHREWDNESS OF A NEW YORK ALDERMAN—HIS ONEROUS UNOFFICIAL DUTIES—DAILY ATTENDANCE AT POLICE COURTS, WAKES AND FUNERALS—HOW HE MANAGED TO "RUN" AN UNDERTAKER, AND FIX OBSEQUIES TO SUIT HIS PERSONAL CONVENIENCE—A BAR-ROOM BOUNCER AND THE PECULIARITIES OF HIS OCCUPATION.

My DEAR DEAN:

It was in the month of December, 1868, that I, in company with an acquaintance, entered the ground floor of a small two-story building situated at the junction of two streets in the lower portion of the City of New York.

It was already dark, being past 7 o'clock. The weather was bitterly cold. Men, women and children hurried along the crowded thoroughfares in this densely-populated section of the City. It was what is known as the tenement district, where thousands of people were huddled together within a small area. The tenements were occupied by the working masses, and one of these tenements alone "accommodated" as many as two hundred families. It may be proper to say here, that the City is much improved since then, with respect to the homes of the working classes. We were attracted thither by glaring lights in the two large windows which fronted on the main street, and the not less brilliant illumination in the smaller window fronting the intersecting street. But, truth to tell, there were other attractions. A sign about twelve inches square, painted in flaming red, on which was printed in bold white letters, "Hot Tom and Jerry," was suspended by a wire cord over the main entrance. This sign did duty only in

the Winter season, and on the approach of warm weather was summarily retired, and replaced (as more in consonance with the character of the season) with another of less inflamed complexion, composed of white pasteboard, bearing the enticing and less mystic words, "Milk Punches" and "Sherry Cobblers."

For the obvious purpose of adding dignity to the concern, by substantial proof that more patronage flowed to it than to any two or three similar places of business in the neighborhood, the outer portion of the sidewalk, for the entire length of the building which, on the main street, ran one hundred feet, was ornamented with casks and barrels, placed one over the other to the height of four or five feet, and obstructively occupying four feet of width of the sidewalk, leaving the patient and submissive pedestrian to get along as best he could. This display, which indicated the number as well as the bibulous capacity of his customers and patrons, the distinguished proprietor himself personally revised every day, shifting about with the air of an artist or a chess-player the several casks and barrels, adding to the height here and lessening it there, taking possession of new portions of the sidewalk at one point and abandoning his position at another, thus destroying the monotony which would otherwise have attended the display, just as many prudent and sagacious housewives, without the slightest scruple, shift the various pieces of their parlor and drawing-room furniture, from time to time, in the endeavor to impress their visitors that there had been added something new.

This imposing body of evidence of an increased and rapidly increasing trade made, it must be admitted, an impression approximating to wonder upon large numbers of people, while in others it caused no surprise; in fact, it was asserted by the latter, in a logical way, that it could not be otherwise, considering the political power and enormous

patronage of the proprietor. There were, however, some keen observers who were disposed to resent this panorama of casks and barrels as a concrete libel on their community, averring that, absorbent as some of them might be, it gave a grossly exaggerated idea of their general bibulous capacity. However this may be, certain it is that, on the part of all the other liquor dealers in the neighborhood, there existed a covert jealousy of these and other evidences of unusual prosperity.

I say "covert" advisedly, for it would have been neither wise nor profitable to inveigh against the conditions which diverted trade away from them. They themselves largely contributed, only four years previously, to elect that business rival an Alderman, and although, after the first election, their enthusiasm for him as one of the craft had considerably abated, yet the Alderman's pertinacity and talent for acquisition were such, and his advances on the road to political ascendency so rapid, that it was idle for them to make an attempt to resist the tide, even after his first year in office. Within that time, he had introduced as many as seven distinct resolutions in the Common Council, in favor of the workingman. They were well-worded, and had, as was universally admitted by his constituents, "the right ring about them." Of course, malicious persons averred that the Alderman himself never wrote them; but this may be said of any man; and it is well known to historians that such great men as Edmund Burke and Sir Horace Walpole introduced, in the English House of Commons, many resolutions not written by their own hands. Assistants were properly employed for work of this kind, because of the exacting duties of a graver and more comprehensive character.

And so it was with Alderman Sheehan. Indeed, if the truth must be told, (and I say this without intending any reflection on the memory of either Burke or Walpole) never was

either of these English statesmen at any period of his career overwhelmed with a weight of public burdens equal to that which taxed the intellect and almost overpowered the energies of this remarkable man. It would be idle to attempt even a summary of his public duties. Burke and Walpole, in their time, gave close attention to their duties in the House of Commons, as Alderman Sheehan did to his in the Common Council; but there the similarity ends. Alderman Sheehan, in addition to this, held levees in the lobby of the City Hall in the afternoon. He visited the Police Courts every morning, and, by a suavity of manner to which Burke and Walpole were utter strangers, "influenced" the presiding Justice to regard with lenity the peccadilloes, eccentricities and frolics, more or less violent —but usually violent—of a large number of the Alderman's constituents who were in the habit of appearing before the magistrate. This task, and the diplomacy necessary to accomplish it, were rendered all the more delicate by the fact that the irregularities which attracted the attention of the police were largely the result of imbibitions at the Alderman's corner liquor store, the preceding evening.

But these attendances at court formed only a small fraction of his duties. Indeed, they may be termed only the ornamental part of his work. There were far graver problems to encounter during the rest of the day. Being a man of large philanthropy, death in the family of any of his constituents deeply affected him. There were necessarily many such sad occurrences in so dense a community as the one under consideration. Many of the deceased had been his supporters politically. Moreover, they had been his customers for some years; but the statement of this fact involves no insinuation that it had any direct bearing on their premature demise.

It sometimes happened that peculiar situations presented themselves—situations which would have puzzled any other

man than an expert politician. In all reason, no man should be expected to attend two or three funerals the same day; but so exacting were the conditions of public life, under which the Alderman lived and ruled, that it was incumbent upon him to attend the funeral of every man, woman and child who died in his special domain. With pain, I must acknowledge that this was done, not invariably as a tribute to the virtues of the dead, but as a diplomatic appeal for the votes of the living.

It was also necessary for him to attend all the wakes within his territory; but this was a simple matter, for he could make several visits on the same night when the several corpses lay still. It was altogether different when the corpses were in motion, on the day of the funeral, at about the same hour, and when often, perhaps, carried in different directions to their last resting-places. For a man of his vast experience and unbounded resources, however, who had graduated in all the stations and sub-stations of local politics, from the bar-room bouncer to the Chairmanship of the Assembly District Committee, to surmount a difficulty of the nature referred to, was mere child's play.

At this point it is advisable to explain what is meant by a "bar-room bouncer," lest your English notions may confound him with a person who bounces, dances and twists around like "Jump Jim Crow," or who performs acrobatic tricks for the amusement of his patrons. A bar-room bouncer in New York City is a very different and far more important individual. His functions are athletic, and even heroic. He represents the bar-room idea of order and executive authority, and with a contempt of danger which would win him honors on the battle field, by force and arms he summarily, and often violently, ejects, at the mere nod of his employer, any hilarious customer whose departure from decorum seems bordering on delirium or provocative of disturbance; because it is well-known that hilarity on such

occasions is contagious. This duty may appear at first sight to be a mere vulgar exhibition of physical force, but on closer investigation you will discover that the bouncer, with a keen discrimination and delicate discretion which can only be acquired by long experience associated with natural sagacity, confines the exercise of his assumed police power to those who are known to have no more money to spend. It requires no argument to establish the soundness of the doctrine that a man who has money and is ready to spend it in a liquor shop cannot, by any fiction or rule of law, equity, or common sense, be construed into a disturber, no matter how foul his language or violent his behavior.

To return from gay to grave, three funerals were scheduled to take place on the same day and about the same hour, all of which the Alderman was expected to attend. How was it to be done? It required the genius of such a man to solve the difficulty, and the Alderman did solve it. On the night before the interment, he sent a special messenger for one Mr. Corlies, a gentleman who enjoyed a practical monopoly of burying those who needed such services in that portion of the City. Mr. Corlies himself was a citizen of considerable weight in that community. It was well-known that he basked in the sunshine of the Alderman's friendship and confidence. This, in itself, considerably augmented his importance, and as a consequence extended the sphere of his sombre occupation.

But there were even stronger reasons why he obeyed the summons with an alacrity which would have befitted the servitor of a Roman Pro-consul. The Alderman had conferred upon him many special favors—always, however, at the expense of the public. Besides the melancholy business of undertaker, Mr. Corlies maintained a livery stable, and was obliged to use in both avocations a large number of horses. From old age, or disease, or from being worn out in the service of the dead, several of these animals became

decrepit and useless. Apart from being skinned for their hides, they were fit for only one thing, and that was to be put on the "pay-roll" to work for the Corporation of the City of New York, at a per diem salary of two dollars per carcass. By the political influence of the Alderman, four of the most forlorn and uncanny of Mr. Corlies' beasts were then enjoying the dignity of a place on the City pay-roll as "teams."

It is unnecessary here to recount other favors conferred on Mr. Corlies. Suffice it to say, he would have been a rank ingrate had he not employed all the means at his command to extricate his benefactor from the dilemma which confronted him. After various plans had been discussed and considered, that of a joint and harmonious funeral was suggested by the Alderman, whose policy on all occasions, was, as he or Tennyson would express it, "to take hands all 'round." But this was found to be injudicious, if not impracticable, for, after consultation with the head bar-tender, the Alderman reported "that at least two of the corpses while living had often 'scrapped' and 'never made up.'" It was finally agreed that in the exercise of his functions, next day, Mr. Corlies should start the funeral processions at intervals of one hour apart, and that, as the burial grounds were far beyond the limits of the City, which necessitated the crossing of ferries, the Alderman could accompany each of the "remains" in turn as far as the ferry, and head the procession in every case. This the Alderman did, being always careful, when each procession halted at the ferry, to go to the coach of the chief mourners, and with a lachrymose countenance condole with its afflicted occupants.

But, as I shall have more to say about Alderman Sheehan in a subsequent letter, I shall not further encroach on your patience at this time.

LETTER XIV.

DIAMOND DAYS OF THE RING—WHEN THE PROFESSIONAL POLITICIAN WAS IN HIS GLORY—A PERPETUAL SMILE AND PRODIGIOUS GEM HIS STOCK IN TRADE—HOW FAVORITES OF THE RING WHO HAD NEVER READ A LAW BOOK BECAME LAWYERS—WHEN JUDGE BARNARD HAD "SOME FUN WITH THE BOYS"—PRELIMINARIES TO A LOCAL CONVENTION—PREPOSTEROUS ATTEMPT OF AN UNSLATED NOMINEE TO QUESTION A LOCAL BOSS ABOUT A PRIMARY.

MY DEAR DEAN:

One of the most suave, sleek and oleaginous persons on earth is the New York professional politician, when things are going his way. There are no bounds to his geniality, no limit to his apparent friendship, no stint to his flattery. He wears a perpetual smile, and he beams with affection on all persons whose acquaintance and friendship he deems it profitable to cultivate. His all-round sociability and joviality make personal friends for himself as well as for his Boss at every turn. Be it a wedding, a pic-nic, or an outing, he is sure to be the "life" of the occasion, while at a wake or a funeral he wears a countenance of becoming solemnity.

Thrown as we are amidst the storms and strifes of this life, and obliged to walk the thorny paths of a wicked and selfish world, where cross-grained men and women make so many lives unhappy, this beaming, radiant character is like an oasis in the desert, ever fresh and friendly, always welcomed and almost caressed. So adroitly does he ply his calling that he rarely offends any one, no matter how great the provocation. He is "posted" on all questions affecting the municipal government, the current topics of the day,

and is familiar with the history of men in public life for the past half century. Twenty years ago and over, he was, to a greater extent, perhaps, than to-day, the friend of the liquor dealer. At any hour of the evening, especially when election time drew near, he might have been seen lounging affectionately about the bar of the leading saloon-keeper of his district, discussing the virtues of the Boss and prospects of "the party."

Had there been any doubt of his identity, it might have been easily determined by the size of his diamond and the conspicuous position it occupied upon his person. It was so much superior in dimension and brilliancy to other diamonds, that it served not only to designate the individuality of the wearer, but to signal his approach to his admirers nearly a block away. The politician who had not got a diamond on his bosom was of little account among his fellows, and was looked upon as having neglected his opportunities. Its size and lustre were commonly regarded as a measure of his professional success, and a passport into the innermost circle of the "high-toned gang," of which he was a member. Next to his readiness to oblige, and his still greater readiness to promise, it was almost his best recommendation to his neighbors, for its lustre convinced them that the wearer was "solid" in politics. But the days of the politicians' diamond glory are well nigh gone—at least, diamonds are no longer a distinctive feature of the New York politician. They went out with Boss Tweed, who set the political fashion, and who wore the most brilliant diamond of all.

When Mr. Jones and myself entered the saloon of Alderman Sheehan on that December evening of 1868, as related in the preceding letter, we received a most cordial greeting from Mr. Daniel Breezy, who happened to be there at the time taking a little refreshment.

I had enjoyed only a slight acquaintance with Mr. Breezy;

indeed, up to this evening, although I was his near neighbor, he had never taken any further notice of me than to extend a mere bow of recognition. It should be observed that Mr. Breezy's salutations were invariably accompanied with an uncommonly affable smile. On this particular evening, he was fairly bubbling over with geniality and with a spirit of hospitality which was more or less distressing to us.

"Dan" Breezy was a man about thirty-five years of age, a little over the medium height, of somewhat athletic build, with a quick, furtive eye, a florid complexion and a flourishing brown moustache. He was dressed in the best of style and, of course, wore a diamond in his shirt front. Almost from boyhood he had held public positions, of one kind or another, and was at that time enjoying a handsome stipend as one of Tweed's "shiny hat brigade." Shortly before the time I speak of he had been admitted to the New York Bar, without going through the formality of a regular examination. He had never read any law books, knew nothing of, and cared nothing for, the doctrines of Blackstone or Kent; but, as an off-set to this, he was skilled to a refined degree in the art of handling Primaries. Statutes have been passed in recent years regulating Primaries; but in those days there were no legal incumbrances in the way of a free and unrestricted Primary. Hence Mr. Breezy had no occasion to read even a statute to qualify himself as a manipulator of Primaries. Those who manipulate the machinery now-a-days have to read recent enactments on the subject, and must be more careful. As Mr. Breezy held a lucrative sinecure in one of the Public Departments, there was no occasion for him to enter into the drudgery of his profession. Besides, had necessity driven him to practice law for a living, it would have entailed upon him an obligation to read books—at least, some books; a thing which, if not impossible, would have been a task of great

difficulty, and one altogether foreign to his natural taste and instincts.

You in England, who have such ancient and circuitous forms for admission to the Bar, may be puzzled as to how Mr. Breezy, with his lack of even rudimentary qualifications, could have entered a profession which is classified as "learned;" therefore, a few words of explanation may be necessary to account for the phenomenon. Besides, it is only just that this should be elucidated, lest you might entertain the erroneous impression that admissions generally to the New York Bar were of like character. The process of admission then was, and it is still more stringent now, that an examination be held in open Court to test the qualifications of applicants; and to that end the General Term of the Supreme Court appointed three members of the Bar to conduct such examinations and report on the qualifications of applicants; whereupon the General Term might admit those deemed to be worthy. This rule was strictly observed when admission was sought by ordinary persons, such as graduates of colleges, and those who had been studying law for years in lawyers' offices. Not so with the Political Princes in the reign of Tweed. The "rules" were altogether under the control of the General Term, which was then composed of Judges Barnard, Cardozo and Ingraham, giving Tweed at least a clear working majority.

It is a well-established principle that there is no rule without an exception. In confirmation of this maxim, fourteen political "bloods," most of them members of the Legislature, who, while suspected of many things, were never before suspected of having read a law book, were treated to a "special" examination in a separate room from that in which the common herd of applicants were examined. The order was issued by Tweed that they should be "made lawyers of," but in order to avoid any unnecessary publicity of this new accession and acquisition to the Bar,

Justice Barnard ordered that they be concealed in one of the rooms of the Court House, where they were to wait until the Court was ready to put them through the "degrees."

While the favored fourteen were hidden in this room, a noted character in local politics, Paddy Burns—a man of thick-set frame, with a broad, huge face and a capacious mouth, which assumed a variety of expressions as suited his passing emotions, but at all times denoting a natural propensity to humor; who spent most of his time hanging around the corridors of the City Hall and the Court House (he held a sinecure) and who had a knack of "getting on" to everything that was transpiring—went to the door of the room where the "applicants" were waiting for the sleight-of-hand admission to the Bar, and, opening it sufficiently to get his massive head inside, surveyed the well-known crowd for a moment with a look of surprise and amazement, and quickly divining the purpose of their seclusion, exclaimed, with a grimace which would have made his fortune upon the stage, "Oh! be the holy Moses, but there's a power of talent there!"

On that memorable day, which marks so important an epoch in the history of the New York Bar, Mr. Daniel Breezy, with thirteen kindred luminaries, became a full-fledged lawyer, and came forth, from the deft hands of the General Term, with authority to practice law in all the Courts of the State of New York. As there is no official record of the facts, I cannot vouch for the authenticity of the following account of the examination, which was current at the time. But many well-known citizens living to-day remember the incident of which I write.

Knowing that the applicants for admission were waiting for the magician's wand to transform them into lawyers, Judge Barnard said to one of his associates on the Bench that he was "going in to have some fun with the boys."

On behalf of the General Term he conducted the "special" examination. With mock gravity he put them through a catechism, of which, it is said, the subjoined is a specimen:

Q. "Senator," (addressing one of them) "do you know there is such a thing as the State Constitution?"

A. "Yes, sir."

Q. "If a proposed bill came up for consideration, which you knew was in violation of the Constitution, what would you do?"

A. "I would move to suspend the Constitution; same as we sometimes suspend the Rules of the Senate to pass a bill."

"Stand aside," said the Judge with a smile, "you will make a profound lawyer."

"Now, sir," said the Judge, addressing Mr. Daniel Breezy, "if you had a claim for a client of $50,000 against the City, what would be the first step you would take to recover it?"

"I would go and see Bill Tweed," was the sagacious answer.

"You will make your mark as a Corporation lawyer," said the Judge, amidst great merriment.

The examinations of the other applicants were of a character somewhat similar to the foregoing.

But to return to Mr. Breezy. As before stated, this unschooled jurist was unusually effervescent, and solicitous of pleasing everybody who happened to come into Alderman Sheehan's saloon. One gentleman who strolled in greeted him with "How are you, Judge?"

"Not yet a while!" said Mr. Breezy, with a smile.

It did not take us long to learn that, on that very evening, was to be held the Judicial Convention for the nomination of District Judge, and that Mr. Breezy was "slated" for

the nomination. His friend, anticipating the event, called him "Judge."

Everything was going on pleasantly until there appeared on the scene three well-dressed men who, after asking all present to join them in "refreshments," took the Alderman aside at the further end of the bar. At first they carried on their conversation in a low tone, but, as the meeting was apparently not harmonious, they gradually raised their voices to such a pitch that all other conversation was temporarily suspended.

"So you are going to give me and my friends 'the dead shake?'" said one of the three, who was the chief spokesman of the delegation.

"The delegates to the Convention will decide it," said the Alderman, diplomatically.

"The delegates?" said the other, in surprise. "Why, *you* are the delegates!"

"The delegates are me friends who were elected at the Primary," said the Alderman.

"You had it all your own way at the Primary," remarked one of the three, who had not before spoken.

"Nothing stopped you and your friends from going to the Primary and voting for your own delegates," replied the Alderman, with a chuckle, under the convulsions of which the counter, on which his arm rested, trembled.

"Oh, that was a fine Primary!" said the third of the group, with a long-drawn emphasis on the "fine."

"It was as good as any other Primary held in New York," retorted the Alderman, doggedly.

"Maybe it was," said the spokesman, who had been endeavoring to control himself for some time, "but we know what your Primary was. You printed the only ticket voted for, didn't you? And you made up that ticket in that little room there, didn't you?" pointing to an enclosed space of about four feet square. "And you promised to have my

name on it, but you didn't," he continued, rapidly. "You printed three hundred tickets with eighty delegates on them, and you handed each of your own men a handful of them to put into the ballot box, which was in charge of Mike Hickey, Jim Downs, and Jake Slinskey,—that you appointed messenger for Judge Cardozo,—then your gang wouldn't let any one near the polls, let alone to vote; and then your inspectors certified that the two hundred and fifty votes were cast for your delegates, when you didn't have more than fifty people there; and then you have the face to ask why we didn't go to the Primary and vote!"

At this onslaught the Alderman flushed somewhat, and after a short pause replied: "It looks as if you have been reading a pack of lies published in the papers by cranks who find fault with everything that is done under Mr. Tweed, when every one knows that William M. Tweed is the noblest man that ever lived in any country."

"Well, if that's the way you talk," said the spokesman, "we, with our friends, will vote for Gonsfager, the Republican candidate for Judge."

This threat had not the slightest effect on the Alderman, or on Mr. Breezy, who within a couple of hours was to receive a nomination from the Democratic Judicial Convention.

On the pressing invitation of Mr. Breezy, I attended the Convention, called for 8 o'clock, in a hall a few blocks away, my experiences in which will be briefly related in a subsequent letter.

made President," as Greeley used to call him) had invited to remain in the Cabinet, was a Radical of Radicals. Between him and the President there was considerable friction on the subject of the government of the Southern States, resulting in Stanton's suspension from office by Mr. Johnson, and the appointment of Gen. Grant to fill his place—the latter, as was generally known, being much more liberal in his views regarding the "conquered section" of the Union. But the Senate, by a very decided vote, insisted that Mr. Stanton be relieved from suspension by the retirement of General Grant, (who had filled the position for several months,) and the General readily yielded to the demand.

About the middle of January, 1868, the magnates of the Democratic party, from all parts of the country, assembled at Washington to discuss the time and place for holding the Democratic National Convention; and, perhaps, having an eye in the direction of a nomination by the Democrats, or because he had just been presented with a large gold medal (described as about three inches in diameter and half an inch thick) on which were inscribed the words: "With courage and fidelity he defended the Constitution, and through justice and magnanimity he restored alienated States," and while there was some talk and some hope of the United States Supreme Court declaring the existing "Reconstruction Acts" unconstitutional, the President made a second attempt to get rid of Mr. Stanton, as Secretary of War, by "removing" him, and appointing Gen. Lorenzo Thomas in his place, claiming that the non-concurrence of the Senate in his first order for "suspension" did not preclude him from making his second order for "removal."

This action on the part of President Johnson aroused the Radicals to a high pitch of frenzy; his proceeding was denounced as a usurpation, a defiance of the Constitution and the "beginning of a new rebellion," and while Stanton re-

mained all night on guard in his office, determined not to yield possession of his portfolio, the Radical leaders succeeded in procuring a writ of arrest, (served upon Gen. Thomas the next morning by the Marshal of the District of Columbia,) by which he was "restrained from entering upon the duties of the position to which he had been appointed," and he of course obeyed the order of the Court.

Then came a demand from the Radical press for the impeachment of the President, and on February 14th the House of Representatives, by a vote of one hundred and twenty-six ayes to forty-seven nays, resolved—"That Andrew Johnson, President of the United States, be impeached of high crimes and misdemeanors." A Court of Impeachment, composed of the U. S. Senate, the Chief Justice of the U. S. Supreme Court presiding, was thereupon organized, and after a series of hearings, occupying nearly three months, a vote upon the impeachment was reached on the 18th day of May, resulting in a failure to convict—the necessary two-thirds of the members of the Court not having been recorded for conviction, the vote being thirty-five ayes and nineteen nays.

During this attempt to impeach the President, party spirit ran high. It was, indeed, an impending crisis. The Radicals, who had a large majority in the Senate—claiming forty-two of the fifty-four members, six more votes than the required two-thirds—had felt confident of victory; but, when the vote was taken, it was found that seven of the less Radical Senators, Messrs. Fessenden, Fowler, Grimes, Henderson, Ross, Trumbull and Van Winkle (through the influence, it was believed, of Chief Justice Chase, the presiding officer of the Court of Impeachment), voted "not guilty," with the Conservative or Democratic members, and thus defeated the conspiracy to oust President Johnson and put the President of the Senate, an extreme Radical, in his place.

This defeat was followed by threats of bringing forward

new charges, and of an investigation to ascertain if money influences had not been brought into the contest to decide the result. This latter charge, usually the resort of defeated contestants, was unfounded in this instance; for the character of the seven Senators referred to was above suspicion. And as the country exhibited no applause over this new threat, the Radicals concluded to abandon any further contest with the President, who, standing as he believed on solid Constitutional grounds, was still bold and defiant as ever, but made no further effort to dislodge Mr. Stanton.

To show you something of the satisfaction which was felt, at the time, over the defeat of the attempt to impeach the President, I cannot do better than give you a brief extract from a leading Democratic paper, published the day after the vote was taken:

> No incident in all our previous history ever furnished such convincing proof of the wisdom and the efficacy of the sober second-thought of the American people, and of their capacity for self-government, as the action of the Senate in this impeachment matter. With all that an overwhelming majority could effect, with all the powerful coercion brutal partisanship and party discipline could command, enough men were found in this perilous crisis of our country, to cast behind them the base instincts of fear and cowardice, to rise to the height of the great occasion which may never again find its parallel, and, obeying the dictates of duty and conscience, make a record that will be more glorious than ever immortalized a crowned king or a laureled warrior, and, when material monuments shall have crumbled into dust, will remain engraven on the tablet of the human heart.

Such was the political situation in the country at the time of which I write. And now, preparations for the Presidential campaign had begun in earnest. The Republicans held their Presidential convention in the month of May, and nominated Gen. Ulysses S. Grant as their standard-bearer—the delegates from the Southern States in their National Convention being a mixture of whites and blacks, with the latter in a large majority. As the Democratic

National Committee had selected New York as the city, and the new Tammany Hall as the place, for holding the Democratic Nominating Convention, the approaching event was looked forward to, in the metropolis, as one of great interest, because it would be the first occasion, since the outbreak of hostilities in 1861, when the representative men of the Southern States would meet their Northern brethren in a political Convention.

The day fixed for the holding of the Democratic National Convention was the Fourth of July. To the completion of the new Wigwam of the Tammany Society, on Fourteenth street, every energy was put forth; and when the morning of that day arrived, the hall was ready, handsomely decorated inside and out; and one hour previous to the time fixed for holding the National Convention, the Tammany Society, preceded by its Grand Sachem, Mayor John T. Hoffman, marched to take formal possession of the new Wigwam, which the Grand Sachem in appropriate speech dedicated to the cause of Democracy; after which Judge Albert Cardozo read the Declaration of Independence, and all the members joined in singing the hymn "My Country, 'Tis of Thee." With enthusiastic cheers, the Society adjourned its dedicatory meeting, and the hall was cleared and made ready for the delegates of the National Convention.

Additional *éclat* was given to that Fourth of July celebration, (at least so far as the Democracy was concerned,) by the appearance in the morning papers of that day of a proclamation from President Johnson, stating that henceforth civil law should be supreme in the Southern States, and that a full pardon and amnesty was granted to all who had taken up arms against the United States during the late Civil War, (except those indicted for treason or other felony,) with restoration of all rights of property, except as to slaves, and except also as to any property of which any

person may have been legally divested under the laws of the United States, the object being "to remove all appearance and presumption of a retaliatory or vindictive policy on the part of the Government, which may have been attended by unnecessary disqualifications, pains, penalties, confiscations and disfranchisements, and, on the contrary, to promote and procure fraternal reconciliation among the whole people, with due submission to the Constitution and laws." Under this proclamation, Jefferson Davis, ex-President of the Southern Confederacy, was really the only man who remained unpardoned.

A fine military pageant was witnessed in the forenoon, and, judging from the crowds which visited the city, the holiday was universally observed; while, at night, the inspiriting influence of the day's joy seemed to intensify the effect of the pyrotechnical displays which simultaneously lighted up the city in every direction. The populace felt that the occasion was a grand jubilee—a restoration of peace and good will between the Northern and Southern States—a new birth of the old Union.

A word now about the Democratic National Convention. Perhaps, no body of men who had assembled since the Barons met at Runnymede to frame Magna Charta, or our American Patriots at Philadelphia to sign the Declaration, ever bore a weightier load of responsibility than did the delegates who then assembled in Tammany Hall. They felt and believed that the Radical party had trampled upon every guarantee of the Constitution, and realized that the people were disgusted at their use of the military power of the Government in the Southern States for purely partisan ends; and a large majority, if not all, of the delegates to the Convention were willing to make any sacrifice of personal preferences or partialities, in order to unite upon a candidate whose name would best arouse the enthusiasm requisite to elect Congressmen, and majorities in the Legis-

latures of the several States, and thus secure the opportunity to form new Constitutions, exterminate despotism, and restore municipal independence, so that great Democratic centres of commerce, art, science and intelligence, like Commissioner-ruled New York City, for example, should be allowed to govern themselves.

Little was done on the first day of the assembling of the Convention, except preliminary business. The distinguished men from the Southern States, who attended the Convention as delegates, had as much as they could do, at the start, to accept the cordial hospitalities extended to them, and exchange sincere congratulations upon the new condition of affairs. It is unnecessary to enter into details of the proceedings of the Convention, which extended over five days. On the sixth and last day, the twenty-first ballot had been had with the following result: Hendricks, of Indiana, (U. S. Senator, and elected Vice President, in 1884, on the ticket with President Grover Cleveland) 132 votes; General Hancock, of Pennsylvania, (one of the ablest of our Union Generals) 135½ votes; Andrew Johnson, of Tennessee, (then President of the United States) 5 votes; Salmon P. Chase, of Ohio, (then Chief Justice of the United States Supreme Court) 5 votes; Wm. H. English, of Indiana, (then Governor of that State) 19 votes; General McClellan, of New Jersey, (also a distinguished Union General) ½ vote; and John T. Hoffman, (Mayor of New York City) ½ vote. Hendricks and Hancock had about the same number of votes through a number of previous ballotings.

During the call of the roll for the twenty-second ballot, William McCook, of Ohio, stated that, after a full and free discussion on the part of the delegates from his State, he was authorized to withdraw the name of Salmon P. Chase as a candidate, and to announce as their unanimous choice—and he would, therefore, cast the full vote of the delegation

for—Horatio Seymour, of New York. Mr. Seymour's name had once before been used in connection with the nomination, and the proffered honor had been by him promptly declined. But when his name was again presented with such unanimity from the State of Ohio, it was followed by an unmistakable burst of genuine enthusiasm from all parts of the vast assemblage; all business was suspended, and, for at least ten minutes, it looked like an impetuous stampede in favor of Seymour. Coming forward to the rostrum, and signifying by a wave of his hand that he desired to be heard, which served to bring the assemblage to order, Mr. Seymour, who had been chosen permanent chairman of the Convention, said that he desired to extend thanks for the flattering demonstration in his behalf which he had witnessed, but that he had no terms to express the regret he felt that his name should be brought forward a second time. "When I said here, a day or two ago, that honor forbade my acceptance of the nomination, I meant it," said Mr. Seymour; and he ended his remarks with—"God bless you for your kindness; but your candidate I cannot be."

Something like a sigh of disappointment was heard, and a feeling of deep regret seemed to pervade the entire assemblage. Then up rose Mr. Vallandingham, of Ohio, who, in a short, vigorous, electrical speech, insisted that "the gentleman from New York had no right to decline an honor which it was so evident those who knew him best desired him to accept," and added that "Ohio insisted upon casting the unanimous vote of her delegates for Horatio Seymour."

It then became evident to the delegation from the State of New York, who had been dividing their votes among several nominees, that it was useless to hope for the nomination of Salmon P. Chase (who had in caucus been voted their choice, as the most available candidate, and to whom

Seymour himself was committed), and United State Senator Kernan, chairman of the New York delegation, addressing the chair, said that, "though New York did not wish to seem forward in pressing the claims of a gentleman toward whom she was so partial, yet, Ohio having led the way, his own State was glad to follow, and as the entire delegation from New York were now confident that Mr. Seymour could safely and honorably change his previous determination to withdraw his name from the candidacy, therefore, the State of New York would give him the unanimous vote of her delegation."

This announcement renewed with terrific force the demonstration which had but a few moments ago subsided, in the midst of which Mr. Seymour retired from the chair, which was taken by one of the vice-presidents, and it was now plainly to be seen that the "coming man" had come. Still, Oregon, when called, cast her three votes for Hendricks; Pennsylvania adhered to Hancock; Tennessee divided her vote between Johnson, Hendricks and Hancock, with one for Horatio Seymour. Thus through the list down to Wisconsin, the States gave their votes principally to the candidates of the previous ballot. Wisconsin, however, gave her eight votes to Seymour. Kentucky then reconsidered her vote, and cast it entire for Seymour, as did Massachusetts. State by State, the delegates then fell into line, those having already voted recalling their ballots and giving them to Seymour.

In explanation of Mr. Seymour's great personal popularity, I may add, parenthetically, that he was one of the ablest, best and purest of American statesmen; and it was truly said of him that "he was master of everything connected with the history, topography and institutions of the State of New York." He had served several terms in the State Legislature, was Speaker of the Assembly, and had served two terms as Governor of the State (in 1853–'54, and

again in 1863–'64), and throughout his career proved himself one of the most conscientious, upright and faithful Executives the State had ever had.

Following the now partly completed roll-call of States, Mr. Clark (of Wisconsin), got the floor, and said: "Mr. Chairman, I have a proposition to make to this Convention. There are in this hall about five thousand people who desire also to be heard in making this nomination for President, and I think an opportunity should be given them to make it by acclamation. They have the same voice on this floor that the delegates have, and I move that they ratify the nomination by giving three cheers for Horatio Seymour."

Then ensued a series of "three cheers," which lasted fully half an hour, and which the chairman sought to stop by calls for music by the band, and by continual pounding on the table with his gavel until he broke it into splinters. After thirty minutes of "pandemonium run mad," sufficient quiet was restored to permit a revised roll-call of the States, followed by the Chairman's announcement of the unanimous nomination of Horatio Seymour as the Democratic candidate for President; when a recess for an hour was taken to permit the exuberance of all present to work off.

When the Convention reassembled, it took but a little while to complete its business and place General Francis P. Blair, of Missouri, in nomination for the Vice-Presidency. On motion of Senator Francis Kernan, of New York (who had hoped to felicitate him on his nomination for President), a vote of thanks was given to Hon. Salmon P. Chase, Chief Justice of the United States Supreme Court, "for the justice, impartiality, and integrity with which he presided over the Court of Impeachment." After which the Convention adjourned *sine die*.

This brief glance at the proceedings of a National Convention will show you something of the steps we, "the sovereign rulers," take every four years to nominate a can-

didate for President. Of course, one of the political parties always has to be disappointed in its expectations. Both cannot win. In this instance, Seymour, so enthusiastically nominated, running as he did against the Commander-in-Chief and hero of the Civil War, was defeated. But, under our Democratic form of government, the party encountering defeat takes it as a matter of course, quietly settles down to business, and the very next day you would scarcely realize that such a thing as an election had occurred.

Inasmuch as the Electoral vote method of deciding our Presidential contests may not be quite understood by you, I will add in this letter a few words relating to that matter.

When the canvass of votes for Electors, chosen at a State Convention to represent the number of Representatives and Senators to which the State is entitled, is made, first by the Inspectors of Election, then by the Board of Supervisors of each County, acting as a Board of County Canvassers, the statement of the result of such canvass is transmitted to the State Board of Canvassers, who declare the result of the vote on the Electoral ticket in the State. All that then remains is for the Electors so chosen to meet at the Capitol of the State, and cast their votes, preparatory to the counting of the same in Congress. Why should there exist such apparent circumlocution, you may ask, and would not it be better and speedier to vote directly for President and Vice-President? The framers of the Federal Constitution introduced Electors to prevent demagogues from personally itinerating the country, and degrading the Presidential office as personal candidates. The people of the several States nominate, as I have stated, either by Convention or Legislature, as they may prefer, a number of Electors equal to their representation at Washington. The framers did not anticipate nominations of candidates by what are called

National Conventions, or the existence of distinct partie in the several States, which would nominate Electors. The had no right to consider such outgrowth. In order t secure to the States their reserved rights, such as local sel government by suffrage, and keep their autonomy intact i every way, Electoral colleges were ordained. The peopl of the States having nominated these Electors and vote for them, the States, on discovering who of those hav the highest vote, "appoint" them members of the severa Electoral colleges. Each State has its college, but th whole number of colleges are commanded to vote for Presi dent and Vice-President on the same day, to prevent pos sible fraud or bribery, and are supposed to meet in on body as one Electoral College. These Electors, thus "ap pointed," vote by ballot for President and Vice-President and that no State may be allowed to monopolize the tw officers to be elected, they must be from different States The electors are assembled by order of the States, after be ing officially notified by the authorities of the same. Tak New York for an example. Her thirty-six Electors hold council and vote by ballot for that purpose. The Electo are then an independent body. They can choose whomsoeve they please. The twelfth article of the Constitution give them absolute power of choice. They shall vote by ballot they shall name in their ballots the person voted for b them; they shall keep a list of all persons voted for, an sign the same, and forward a sealed certificate to be opene in the Senate, which is the States in council; and the vote shall be simply counted. It was intended that the Elec tors as agents of the States and the people, should ris above party and select the fittest man for President an Vice-President. But party organizations have deflected the intent of Madison, Hamilton and the rest, and mad Electors agents to register the popular vote of the State instead of grave, intellectual and patriotic statesmen, with

the ultimate power of choice. It was a grand design of grand men, the creation of such an Electoral College as would choose for each State and all the States a President and Vice-President for four years who were best fitted for these positions.

In the year 1824, there were four candidates for the Presidency—this was before the holding of National Conventions. These candidates were John Quincy Adams, Andrew Jackson, Wm. H. Crawford and Henry Clay. The Electoral College having failed to give either one a majority, the election devolved upon the House of Representatives, whose choice was limited to the three highest candidates, Messrs. Adams, Jackson and Crawford. Then it was that Mr. Clay cast all of his influence in favor of Mr. Adams, and he was chosen President. This action on the part of Mr. Clay, I may add, was denounced by his enemies as "bargain and corruption," and John Randolph, of Virginia, stigmatized it as "a coalition of puritan and blackleg;" which provoked a challenge on the part of Mr. Clay, and a bloodless duel ensued between him and Randolph.

Would not the vote direct by the people for President and Vice-President work better than an Electoral College? you may ask. By no means. Under the present system the States have in their own hands the ballot-box. Under a direct vote the States as States would soon lose that right, and the Federal authorities would control the whole machinery of election. Now, each State watches the count; then that supervision being removed, the popular interest could be so diffused that general frauds would creep in and very soon would follow the destruction of the rights of the States and absolute Federal centralization. Under the present provision of the Constitution the people of the States are sovereign in the election of their local officers. They vote directly for their agents at home. What appears to be an indirect vote for the President and Vice-President is

a direct one after all; for the people nominate and ballot for Electors who act both for the States and themselves, and who now endorse the popular will. A violation of such an expressed will would produce revolution. It is the Electoral system—although altered from its original intent—which binds together the States in a common fraternal Union, and, in still preserving the integrity of the States, preserves our institutions.

LETTER XVI.

BRIBERY WHICH WAS NOT BRIBERY—INVESTIGATING COMMITTEES HARD TO CONVINCE—TWO PECULIAR CASES—RUMPUS OVER THE MISINTERPRETATION OF A SIMPLE WORD—MORE SECRETS OF LEGISLATION—PRACTICAL ILLUSTRATIONS OF THE USE OF THE LOBBY—THE "CONTINGENT" METHOD OF PASSING A BILL—AN INSTANCE IN WHICH ALDERMEN WERE NOT "TREATED RIGHT."

MY DEAR DEAN:—

Having spoken, in a previous letter, of charges of alleged corruption in the Legislature of this State in connection with the Erie Railroad contest, and having also incidentally alluded to the members of the "Third House," the lobbyists and their personnel, who thrive and flourish and manage to get rich, it may seem odd for me to add that, notwithstanding the many charges of corruption against members of the Legislature, no committee of investigation has ever been able to find such an accusation against a member sustained.

The first bribery case that ever came up for threshing in our State Legislature was in connection with the Bank of America, of this city, the charter for which, it was charged, had been obtained by bribery, fraud and corruption. The accusations were specific, and the personages accused were Judge William Van Ness, a member of the Assembly, ex-Speaker and State Treasurer Jacob R. Van Rensselaer, and Elisha Williams, a prominent politician, the last named being accused of having received from the bank twenty thousand dollars in cash for his "influence." This $20,000 fee was alleged to have been a compromise of a still larger claim for money, and it was stated that Williams, who had

received this money as the representative of the parties concerned, had failed to "divide" with his associates, and finally had kept one-half of the "boodle" on the pretense that there was a fourth party, name not given, who had worked as hard to get the bank charter as any of them, and whom Williams represented by consent. The accused ones at once protested their innocence. Van Ness, in the Assembly Chamber, denounced the charge "as an infamous lie," and demanded an immediate investigation. His demand was granted, and an investigation followed with all due formality.

Nobody concerned made the least pretense of concealment that Messrs. Williams, Van Ness and Van Rennselaer had used extraordinary exertions in getting the charter of the Bank of America through the Legislature. But these parties claimed that they had been wholly and solely actuated by a desire to advance the public good. The sensational witness in the case was a Mr. Brower, a lawyer in good practice, who testified that he had seen Van Ness frequently in Room No. 10 of the old Gregory House, in Albany, "hobnobbing" with the agents of the Bank of America. He had also heard Van Ness, one day, "ask one of the bank's agents if a certain prominent man had not been seen yet." Brower further testified that Van Ness said that "Williams was a slippery eel, and did not divide promptly;" that Van Ness had confessed to him that Williams had obtained a lot of money from the Bank of America, of which he, Van Ness, was entitled to a share, but that, up to date, Williams had not toed the mark, because Williams claimed that a Mr. Grosvenor, a prominent politician from Columbia County, was entitled to an equal share, and until Mr. Grosvenor was satisfied, he would give no money to the others; which pretension, Van Ness said, was "a put-up job, and a blind, to enable Williams to pocket the share claimed for Grosvenor."

The Legislative Committee of Inquiry reported that, "from the evidence heard, in our opinion, there is no proof that Hon. Wm. Van Ness received a cent of money, nor have we found anything in his official conduct that requires the interposition of the constitutional power of the House." So Judge Van Ness retained his position as a member of the Assembly; and as Van Rensselaer and Williams were not members of the Legislature, the committee recommended no action concerning them.

The next bribery case of any note was mixed up with the passage of the Act for the Metropolitan Fire Department, and the disbanding of the Volunteer force, in 1865. A grave and decorous representative of Queens County, a man of character, family and position, named Turner, arose in his seat in the legislative chamber at that time, and, speaking with the utmost solemnity and precision, declared that he had been offered five hundred dollars for his favorable vote on the bill for introducing steam fire-engines into New York City. Instantly, the House was in commotion, and a demand was made for a Committee of Investigation. The old firemen were delighted at this revelation; the corrupt practices of the advocates of the new measure, they argued, clearly showed that condign punishment must be inflicted; and, doubtless, in the reaction following these disclosures, the paid fire department scheme would come to naught.

Of course, the case created a stir. Where two men are of like character, veracity and respectability, and one of these two model men flatly accuses the other of an infamous crime, and the other man positively denies the heinous charge, there is bound to be curiosity as well as trouble. For forty-eight hours, the Turner bribery scandal was the absorbing topic in New York City. Every engine-house resounded with commendations of Turner's name, while the advocates of a paid fire department denied all knowledge whatever of the party whom Turner accused of trying to

bribe him. It was indeed a mystery. But one that was soon explained, with a laugh against Turner.

Alleged briber and alleged bribee were brought face to face before the investigating committee, and then the cat leaped out of the bag. The explanation of the mystery took place at once. It turned out to be all a mistake on Mr. Turner's part, as to the meaning of a word. The gentleman who, Mr. Turner thought, meant to bribe him, had simply told him, as an earnest advocate of the proposed new fire system for the City of New York, that he could offer Turner five hundred "reasons" for voting in favor of it, and Turner, from an Albany legislative standpoint, took it for granted that "five hundred reasons" could not mean anything else than five hundred dollars! That was all there was in the affair. All the bribery, then, was in Turner's imagination, or, rather, in his interpretation of a simple English word.

And now another brief reference to some peculiarities of legislation may afford you a moment's entertainment.

There was a gas bill before the Legislature, some years ago, which has a history worth repeating. The gas companies of the metropolis first favored the passing of this bill, as, under pretence of a small reduction in the price of gas, it cloaked a provision that would work advantageously to the several companies in the way of "monopolizing" the business. Suddenly, it was found that the passing of the bill, in even this shape, would interfere seriously with a "deal" which had just then come to the front. So the word was passed "to whom it may concern," to "kill" the bill, instead of passing it. And the lobbyist in charge of the matter prepared to "arrange things differently," and undo all his fine work in regard to it.

To the surprise of all save the initiated, the Committee on Cities reported the bill to the House, and it was ordered to a third reading. This proceeding, however, was only a

"blind," made at the suggestion of the lobby manager himself, just to show the gas companies what the Legislature could have done if it had wanted to, and to make his services more valuable and his men appear more deserving of the "boodle" that had been promised; for, the very next day, the lobbyist and his "listed" men got to work in earnest, and when the bill came up for passage under the order of third reading, it was "knocked all to smithereens," receiving an almost unanimous negative vote.

Then, with a rush, immediately after adjournment, the gentlemen on the "nay" side stampeded the lobbyist's rooms, at the Kenmore House. They found nothing ready for them yet; but, on the contrary, more work for them to do right off; for, at the morning session, a bill, emanating from an unfriendly source, "regulating the price of gas," had been introduced, and the lobbyist had been instructed by an attendant agent of the company that this bill—a dangerous one to the gas companies—must "be put in its little bed," before any "influence" could be handed over to anybody.

This making their pay for work "honestly done," contingent on more work yet to do, was very annoying to the legislators; it was really getting two bills killed for the price of one; but, as there was no help for it, the division of spoils was put off for a day or two, when a motion was made and carried to discharge the committee, to which the offending bill had been referred, from further consideration of it; then a motion was made to strike out its "enacting clause," and the poor little bill was electrocuted so quickly that it did not know what struck it.

Then the lobbyist, assisted by one of his right-hand men, paid off the members at the rate of two hundred and fifty dollars each, the lobbyist paying some at the Kenmore House, and his right-hand man paying the others at the

Delavan, in order to avoid too suspiciously big a rush at either place. But, when the balance of the funds came to be counted up, the lobbyist found that he had paid out two thousand dollars more than he had calculated, and was just so much short in his estimated commission for himself. By some mistake, eight of the names of the members on the Kenmore list had been duplicated on the Delavan list. And so, after having been paid the $250 at one establishment, and hearing that their names were listed at the other place, the lucky repeaters had, for the joke of the thing, gone to the lobbyist's right-hand man and taken another little package, saying to each other that, if it was all right for the lobbyist to get two bills killed for the price of one, it was equally right for them to get two payments instead of one. After plaguing the lobbyist for an hour or two, the duplicate money was returned to him.

"Contingent" bills are a feature of legislation, always unpopular with "the business men" in the Legislature. By "contingent" is meant bills in which the contingency specified is that of the bill becoming a law—not merely passing both Houses, but obtaining the Governor's signature, or, if he vetoes the bill, over-riding his veto. One of the veteran members of the Senate always refused point-blank to have anything to do with contingent bills, and on the ground of his health. "You see," he used to say, "I can't do myself justice—I can't do my position justice—unless I sleep at night. No sound sleep at night, no sound thought by day; and I owe it to myself, my family, my position, to use my best thoughts, my full brain power. Now, I never can sleep at all when I have the nervousness inseparable from a contingent bill on my mind. I stay awake at night, thinking about its possibilities in the Executive Chamber. This sort of thing isn't right. It will kill any man, sooner or later. My life is valuable to my country. So, boys," he would say to the lobbyists, almost

pathetically, "if you love me and wish me to live, don't ask me to have anything to do with a contingent bill. Spot cash is my gait. It saves all bother."

One "contingent bill," of which I have heard, had a heavy backing, but the President of the company, feeling himself to be "as smart as they make 'em," determined to give his personal attention to it. Having got a friend of his to introduce the bill, he invited members to his rooms at the Delavan House, and told them he wanted their help, and was "willing to do what was right;" but he was not authorized to pay out a single dollar until the bill became a law—which was a sure thing. And so he determined to play contingency "to the Queen's taste," to use his own expression. To carry out his plans, he secured the services of three men: a magnetic orator, a first-class talker from Brooklyn; an oily gammon chap, a sort of universal flatterer, from Rochester; and an earnest man and a worker, from New York city.

These three promoters soon got to be known to the frequenters of the lobby, as the "magnetic" man, the "taffy" man, and the "earnest" man; and they proved to be a very strong team. One would fire the energies and hopes of the expectants by his eloquent promises. The second of the trio would go around tickling everybody's vanity, laughing at a member's story, (at which nobody else would laugh because it was a decayed "chestnut"); admiring the good looks of another member, (who was as ugly as a stone fence); deftly praising the legislative ability of a man who, probably, had no intelligent knowledge about the rules of the House beyond a motion to adjourn; while, day and night, in season and out of season, the "earnest" man would be toiling for the success of the pending measure.

Blood and brains and earnest work of any kind will tell; and so, despite the fact that all the members who had been "listed" by the President of the company wanted money

down, and that the President resolutely refused to pay anything until after the bill had become a law, the measure got successfully through both branches of the Legislature. "You see," said the President of the company to his Board of Directors, "that I was right. The bill, as I have managed, got through the ordeal of both Houses, just as well as if we had paid the money down for the votes, and assumed all the expenses of the professional lobbyist. It is better to have the members in our power than for us to be at their mercy. There's nothing, I tell you, like making cash depend on a contingency."

But, alas! the indefatigable President of the company, notwithstanding all the satisfaction he had expressed over assured success, was knocked out in "the next innings." For, in the course of a week, the Governor vetoed the bill; and, in spite of all the eloquence of the "magnetic" man, hired on a contingency, and the flattery of the "taffy" man, hired on a contingency, and the hustling of the "earnest" man, also hired on a contingency, and all the efforts of the now desperate President of the Company, (whose salary, however, did not depend upon a contingency, but was paid monthly in cash certainties), a sufficient number of votes could not be secured to override the veto; for the jealousy of the professional lobbyists had now got to work, and every effort of the contingent trio was silently headed off, in order to maintain the business reputation of the Third House, and show the inefficiency of interlopers. As the Senator to whom I have previously alluded remarked, (in reference to the President of the Company and his defeated bill): "He was all wrong, my boy. There is nothing like making a contingency depend on cash!"

I will conclude these notes of some of the inner secrets of legislation at Albany, with a little anecdote in connection with the "business methods" of New York Aldermen.

A number of years ago, when the Japanese Embassy was in New York, a prominent hotel-keeper, for the sake of an advertisement, conceived the idea of giving the Embassy a big dinner at his hotel, at the city's expense. He saw the Aldermen about it, and they thought it a good idea, as they would get a generous feed, and they thought it a still better idea when the hotel-keeper said he "would treat them right," which, of course, the Aldermen believed meant "turkey," (as they sometimes called money,) or a "a divvy." So the dinner was given, and it was a grand success.

The day after the hotel-keeper's bill was paid, the Aldermen in the job were invited up to the hotel, and all of them went hungry—hungry for "turkey" and thirsty for the "divvy." But although they got all the champagne they could drink, and lots of nice turkey and other good things, they failed to be served with any "turkey" of the sort that might be put in their pocketbooks, nor was there a word said about the expected "divvy." Then one of the Aldermen, who bossed the job, thought it time for an explanation, and said to the hotel-keeper: "We're somewhat in a hurry. Suppose we settle up our little matter now."

"What matter?" inquired, in a most innocent way, the hotel-keeper.

"Why, that Japanese dinner for which you have got paid," replied the Alderman, in his most direct and business way.

"Well, what of that dinner?" asked the hotel-keeper, looking amazed.

"Ain't you going to treat us right, as you promised?" inquired the Alderman, betraying a little impatience.

"Why, haven't I treated you right?" replied the hotel-keeper; "didn't you eat and drink all you wanted at the time the dinner was arranged for, and haven't you eaten and drank all you wanted now?"

"Yes, yes, yes," responded the Aldermen; "but what about the divvy?"

"What is a divvy?" asked the hotel-keeper, with "a smile that was child-like and bland," as if in earnest pursuit of information.

The Alderman, in the expressive language of the time, "tumbled to himself;" saw that he had been "dumped;" and the hotel-keeper "had him where his hair was short." Of course, he was too smart to ask for money directly; so, without another word, and without their "turkey," he and his brother Aldermen left the hotel, while, after their departure, the hotel-keeper had lots of fun, telling his friends how innocent and ignorant he was concerning the meaning of that little word "divvy."

LETTER XVII.

SHAPING A STATE CONVENTION FOR POPULAR SUCCESS—POLITICAL SAGACITY OUTGENERALS VENGEFUL JEALOUSY—DEMOCRACY'S GREAT TRIUMPH IN THE EMPIRE STATE—PLOTTERS FOR DISSENSION SOWING SEEDS OF DISCORD IN THE METROPOLIS—WIRE-PULLERS OF THE YOUNG DEMOCRACY REVOLT—EXTRAORDINARY CHARTER CONTEST IN THE LEGISLATURE—COMBINATION AGAINST AND ATTEMPTED DEPOSITION OF TWEED—COMPLETE ROUT OF HIS ADVERSARIES—PHILANTHROPIST AND GAMBLER BARGAIN OVER DEVILLED CRABS.

MY DEAR DEAN:

It was a very jolly party that boarded the palatial steamer "Drew," starting from this city for Albany on the afternoon of September 20, 1869, en route for the Democratic State Convention to be held at Syracuse. Besides the delegates from New York City—consisting, among others, of William M. Tweed, George H. Purser, Samuel J. Tilden, Richard Schell, Samuel S. Cox, George W. McLean, Magnus Gross, Richard O'Gorman, Samuel B. Garvin, George Law, A. Oakey Hall and Henry W. Genet, not one of whom is now living—was the Brooklyn delegation, headed by their sagacious leader, Hugh McLaughlin, and at least five hundred representative Democrats from both cities. On their way up the river, the delegates from the two cities (now one, as Brooklyn has been absorbed in Greater New York) had a sort of love feast, in which they agreed to act as a unit in the State Convention, in the shaping of a platform, and on all party questions affecting the general result of the pending canvass. This was a somewhat remarkable coalition; for, at the Convention of the preceding year, the delegations from the two cities had been

in direct opposition. Now they had "buried the hatchet," and, as a consequence, the State rooms on board the steamer "Drew" were not occupied until a very late hour.

At this Syracuse Convention was openly disclosed the evidence of friction between Tilden and Tammany Hall. Samuel J. Tilden was chairman of the State Central Committee, a position which he had held for several years, and he took the liberty, in calling the Convention to order, to deliver a three-quarters of an hour speech, in which he formulated the platform he expected the Convention to adopt. Instead of doing so, however, the New York and Brooklyn delegates, having anticipated the Tilden programme, united in placing on the Committee on Resolutions, delegates who had made up their minds not to be dictated to; and when, in the Committee, Mr. Tilden, (who, by courtesy, was made a member) submitted an already prepared platform, he was astonished to find the Committee disposed to pick it to pieces, burn up the planks, and substitute entirely new timber. Seymour, although elected a delegate, absented himself from the Convention; and the knowing ones claimed that he and Tilden had concocted a scheme to commit the party in its platform to ultra-Southern Democratic policies, for which Northern sentiment was not prepared; and as no Governor was to be elected, if the canvass should prove disastrous to the party at the then ensuing election in this State, the effect would, at least, prove detrimental to and defeat Tammany and Hoffman in their plans for the Presidential campaign of 1872. It was the hint received in this direction which induced the Tammany delegation, (through Tweed's manipulation), to hobnob with their Brooklyn associates on their way "up the river," and in anticipating and preparing for the intrigue, Tammany Hall came out "'way a-head."

During the ballots for the nominations for State officers, the spirit in which the Tammany delegation, (having carried

its point regarding the platform), was resolved to act in the Convention, was unmistakably evinced. When New York County was called, its then sixty-three votes were divided up equally between three candidates, when there were three, from the interior of the State, thus avoiding not only all appearance of partiality for any particular candidate, but showing the desire of Tammany to leave the making of the State ticket to the country delegates. When it came to a vote between only two candidates, Tweed would announce the sixty-three votes of the delegation to be thirty-one for each candidate, adding: "One member of the delegation declines to vote." This fine hair-splitting caused a laugh in the Convention, and a good-natured motion that "the declining delegate be excused from voting," elicited a round of applause. It was a delicate piece of work which Tammany had on hand that day, to circumvent the wily Tilden-Seymour programme, but its tactics won the Convention, and the wisdom of its course was manifested in the success of the canvass which followed.

For seventeen years prior to 1869, the Democratic party had twice elected the Governor and once secured the Assembly; while the Republicans had frequently held both branches of the Legislature and the Governor as well, and had been enabled to foist upon the people the most flagrantly partisan laws, and had so redistricted and reapportioned the State as to fritter away and destroy the Democratic preponderance of voters, and enable their own party, though largely in the minority, to elect the Legislature, even with forty-eight thousand Democratic majority against them on a popular vote. Thus, through their rotten-borough system of representation, giving undue power and influence to the rural districts and Republican localities, they stole from the city of New York its municipal rights, robbed its citizens of their liberties, tied up their consciences with Puritanical strings, and buried local city government under an avalanche

of costly Commissions, preying upon the people to whom they were in no manner responsible, and doing the bidding of the Radical Albany Ring in overawing and intimidating the overwhelming Democratic sentiment of the city. But this great wrong, increasing in proportions from year to year, finally wrought its own remedy.

The election in 1869 was a great Democratic triumph. It won for the Democracy every department of the State government, Executive, Legislative and Judicial; which meant that the people were tired of Republican misrule, and demanded a thorough reformation of public affairs, the immediate and absolute repeal of the odious Metropolitan Excise Law, and the removal of all attendant elements which abridged the liberties of any class of the city's dense population; and the people demanded, also, a restoration, under a revised charter, of the municipal rights of the metropolis, the repeal of the Metropolitan Police Act, the abolition of the Metropolitan Board of Health and of the inefficient Croton Board, as well as a cleansing revolution in municipal affairs.

This was the responsibility devolving upon the Legislature of 1870, which assembled at Albany the first Tuesday after the first Monday of that year. The Senate was composed of seventeen Democrats and fifteen Republicans, and the Assembly of seventy-one Democrats and fifty-seven Republicans; while a Democrat, John T. Hoffman, occupied the Executive Chamber. Upon the Democrats, therefore, rested the full responsibility of responding to the wishes of the people.

Tweed went to Albany in 1868, a Senator, but the Democrats were in a minority in that body, and a Republican Governor occupied the Executive Chamber. But, as the Democrats had control of the Assembly, and as Tweed brought with him nearly a unanimous Democratic Assembly representation from the city, he made William Hitch-

man Speaker, as I have noted in a previous letter. In 1868, he carried his point, in his manipulations through his Erie Railway combination, of electing his nominee for Governor, John T. Hoffman; and in 1869, through the same combination, he had secured two additional Democratic Senators from the Southern tier of counties. Hence, he was, indeed, master of the situation—the acknowledged leader of the Democracy, in fact; and of this fact Seymour and Tilden were now fully convinced, after Tweed's successful manipulation of the State Convention, shaping the platform for popular effect, and winning over, through his tact and magnetic influence, the representatives from the rural counties.

But Tweed's great success had stirred up jealousies, and made more active his enemies. Trouble was breeding in the regular Democratic camp in the metropolis, aided by the "Mozart Hall" and other factions.

In arranging the "slate" for local representatives to be nominated in 1869, Senators Michael Norton, Thomas J. Creamer and Henry W. Genet found much hostility cropping out, in their respective Senatorial districts, to their return to the Senate. Senator Creamer's faith was doubted, because, in the Tax Commission bill, he had had passed at the legislative session of 1869, he had made a deal for himself; Genet had formed a coalition with Norton to protect the Radical Croton Water Board, the only remnant of patronage left to him; and Norton was suspected, inasmuch as he had already announced himself as a candidate for Police Justice, and had used his Senatorial position to consummate that purpose. Such being the condition of affairs, Tweed suggested the propriety of nominating other candidates in the places of the suspected ones. Accordingly, "on the slate," Terence Farley was substituted for Genet; Charles G. Cornell for Creamer, and Emanuel B. Hart for Norton.

The three Senators, thus "sent to Coventry" by the Grand Mogul, did not gracefully accept the situation. They lost no time in bringing influence to bear upon Tweed and Sweeney to withdraw their hostility; and, upon professions of good faith on the part of Genet, Creamer and Norton, opposition was at once withdrawn, the proposed substitutes were gracefully retired, and the three Senators re-elected without further bother. But there was one cunning, wily politician, George H. Purser, who had formed part of the delegation which accompanied Tweed to Albany on the steamer Drew, and who had been playing a Mephistophilean game to widen the breach between Tweed and Norton, so that he might obtain Norton's nomination for himself. He, of course, was disappointed in his ambition, and in order to get square with Tweed, he resolved, in advance of the meeting of the Legislature in January, 1870, to develop germs of revolt in the minds of the Senators and Assemblymen, (who owed their election to Tweed and Sweeny), against their leaders. He chose Genet for his entering wedge, and arranged an "accidental" meeting between him and Norton. In the course of their conversation, Genet made the then talked-of new City charter the principal topic.

"We'll never get a look at it, or know what it is, my boy, until it is brought up to Albany," said Genet, indignantly. Norton rather dissented from this. "I tell you, it's so;" and, tapping Norton somewhat vigorously on the shoulder, Genet asked, "Are you going to stand it? By Jove, I'm not." Norton assured Genet that he would not be "played for a fool," either; and the two then shook hands, and pledged their words to stand by each other in revolt against dictation.

Then the twain proceeded up town, and, (purely by "accident," of course), met Purser, and to him made known their resolve—the plot, in short, he himself had originated.

But, as a matter of consistency, appearances had to be maintained and his own cloven foot decently covered. Therefore, the trio adjourned to a restaurant, where they discussed the plot, and, "very accidentally," met Lawrence D. Kiernan, a bright member of Assembly, and Peter Mitchell, a very ambitious young lawyer, also an Assemblyman; and, after a little conference and explanation, by Genet, of the course he and Norton had agreed to pursue, Kiernan and Mitchell were convinced that the only way to prevent themselves from being ridden over rough-shod was to stand up and fight for their individuality. Before the party separated, Senator Creamer, John Morrissey and Sheriff O'Brien "happened" to drop in, and it did not take a long discussion to induce them also to join forces with Senators Genet and Norton, to "strike for their altars and their fires."

Thus reinforced, the party proceeded to the rooms of the Jackson Club, where Purser had arranged to have waiting for him nine or ten others, who, being "soreheads" like himself, were ready for "treasons, stratagems and spoils." Seventeen assembled in secret conclave within an inner chamber of the Jackson Club, and resolved to form some plan for immediate and secret action. Purser, the hatcher of the plot, was made the leader, with instructions to "prepare a charter for the City."

They resolved further, that, to render their revolt a success, they would need: first, Money; second, Patronage; and, third, a Newspaper. It was determined to make no open demonstration until the talked-off Ring charter was introduced in the Legislature. The conspirators then separated, under the belief that no eye had seen them in council, no ear heard a word of their deliberations. But, soon after the secret meeting had dispersed, a tall figure with a large slouched hat noiselessly emerged from the building.

This mysterious mortal had overheard every word uttered at the secret confab. Two hours afterwards, Tweed was as familiar with the proceedings and the meditated revolt as was his mysterious detective agent.

Next day, the conspirators worked like Trojans to secure the essentials already enumerated, and Purser, operating on Tilden—who, he knew was especially "sore" on Tweed & Co. for outgeneralling him in the State Convention—secured, through Manton Marble, editor of the New York *World*, the co-operation of that newspaper in the proposed fight against the Ring. Meanwhile, Tweed and Sweeny were minutely informed of every move and device of the cabal. The proceedings of every secret meeting held by the conspirators were duly reported to them. Consequently, when the Legislature opened, Tweed thoroughly comprehended the situation, but, of course, kept his own counsel. He went to Albany, and organized the Legislature by again making William Hitchman Speaker of the Assembly, and, through Lieutenant Governor Allen C. Beach, the presiding officer of the Senate, arranged the standing committees of the Senate to suit his purposes. In the meantime, the *World* newspaper began a series of bitter attacks upon the Ring, and the New York *Sun*, for sensational purposes, joined in the fray. Senators Genet, Norton and Creamer, in order to win Senator Isaiah Blood to the side of the conspirators, inspired the *Sun* to extol him as another Dean Richmond, whose inevitable destiny was that of Governor of the State. This had the desired effect, and Senator Blood soon fell into the trap. Their strength in the Senate was therefore four, and as the Republicans had fifteen members, the junta counted upon assured success, even should the other thirteen Democrats in the Senate stand by Tweed as representative of the regular organization. They lobbied incessantly, held secret caucuses, and busied themselves in manufacturing sensational conjectures for the reporters

of their two organs, the *Sun* and the *World*. But Tweed, somehow, was mysteriously kept informed of every move they made.

On the third day of February, Mr. Frear, a member of Assembly from New York City and chairman of the Committee on Cities, introduced a new charter for the city of New York. This was the so-called Ring charter, which Senator Genet had spoken of to Senator Norton. Its provisions, drawn up, it was said, by Peter B. Sweeny and two prominent lawyers equally well-posted on municipal affairs, were designed to meet the popular demand for "home rule." It proposed to clothe the Mayor of the City with ampler authority than he had theretofore had; to give him the appointment (with the concurrence of the Aldermen) of the heads of all executive departments (except those of Finance and Law), and making them subject to removal by the Mayor. The point in view was the restoration of local self-government to the City, by abolishing the so-called metropolitan commissions, substituting in their place municipal departments charged with equivalent duties, and making the officers of these several departments responsible to the Mayor.

The "conspirators" and their organs denounced this charter, as designed only to perpetuate Ring power and make of the Mayor of the city a Czar. Then the Democratic members outside of the City of New York, looking upon the wrangle that had begun as probably of long duration, and desiring to set themselves right before their constituents as regards Radical Commission government, requested that a caucus of the Democrats of both Houses be held, at which the following resolution was offered by Assemblyman Jacobs, of Brooklyn:

Resolved, That the representatives of the Democratic party of New York, here assembled, pledge themselves to effect such legislation as will restore to localities the right of self-government, and secure the

abolition of all Commissions imposed upon Democratic communities by the Republican legislation of the past years.

This well-intentioned resolution precipitated the beginning of the outbreak of the "conspirators" in the Legislature. Senator Norton demanded that the resolution be amended, so as to specify, by name, the Board of Supervisors of New York City, composed half of Democrats and half of Republicans, which he denounced as "the most corrupt Board in the metropolis." This was an open declaration of war on Tweed, who was chairman of the Board of Supervisors. A heated discussion followed, in which Norton, Creamer, Genet, Kiernan and Mitchell showed their hands, and the caucus adjourned in an uproar, without deciding anything.

Then followed the introduction of bills and counter-bills. Mr. Frear would introduce a bill one day, and the next day, or the day after, Mr. Kiernan, mouth-piece of the "rebels" in the Assembly, would introduce a bill on the same subject, but with entirely different provisions. In the meantime, Senator Genet attended to business in the Senate, introducing resolution after resolution of a buncombe character, always with the purpose of reflecting on Tweed and his associates. But Tweed showed no signs of resistance, and permitted the resolutions to be adopted without debate; all of which was heralded to the public by the conspirators' organs as "signs of weakness and of the certain downfall of Tweed and Co." Senator Creamer also took a hand in introducing anti-Ring bills (so-called) and all were referred to the Committee on Affairs of Cities.

The new charter introduced by Mr. Frear remained in the Committee of which he was chairman, unacted upon; when notice was given by Mr. Kiernan that he would at a future day (and he did) introduce "a Bill for the Government of the City of New York," which, he claimed, would be a charter in the interests of the people, and would

"sound the death-knell of the Ring." The next morning the *World* announced in big head-lines: "The Ring Has no Strength Whatever in the State; it's a Dead-Duck." On March 10, a duplicate of the charter introduced by Mr. Kiernan in the Assembly was introduced by Senator Norton in the body of which he was a member.

And so the war was waged until toward the close of the month of March, when Kiernan, in the Assembly, had managed by appeals to his fellow-members to get enough votes to have his proposed charter made a special order, and after a lengthy discussion it was, on motion of Mr. Kiernan, ordered to a third reading. In the meantime, the charter introduced by Senator Norton had been referred to the Senators from New York City, of whom Genet, Norton and Creamer formed a majority of one. This was on Friday morning, and both Houses took a recess until Tuesday morning. The "conspirators," or the Young Democracy members, as they called themselves, asked for the adjournment, because they had business on hand for Monday evening. The Democratic General Committee was to have a meeting on that evening, and it was their purpose then (having already prevailed upon George W. McLean, Street Commissioner, to remove Senator Tweed from the position of Deputy Street Commissioner, and believing that their success at Albany was now assured) to pass a resolution in Tammany Hall to remove Tweed from the chairmanship of the General Committee, and put Senator Genet in his place.

Senator Tweed, although maintaining remarkable composure during the fight that was going on against him, was nevertheless somewhat annoyed at the unexpected support some preliminary amendments to the Young Democracy charter had received from several Democratic Senators hailing from districts outside of the City. His feeling on this subject may be best illustrated by an incident that oc-

curred on the train which carried the legislators to the city that Friday afternoon.

Passing through a parlor car, Senator Tweed observed one of his colleagues, a Democrat, engaged at a game of whist, and, excusing himself, asked the Senator if he would permit some friend to take his hand for a few minutes, as he (Tweed) would very much like to say a word to him. Retiring into an adjoining compartment, Mr. Tweed said to his Senatorial associate: "I was very sorry, indeed, to notice, this morning, that you seemed to favor the mischievous designs of Genet and Co. against me."

"I have not decided that I shall favor their charter," replied the Senator. "The amendments suggested by Mr. Norton were to perfect his own bill, and when asked by him to help him, I did so out of courtesy; that is all. New York ought to have a good Democratic charter, and Norton's, I think, has some good features."

"I am glad," said Tweed, "you are not committed to their measure, because, as we all want a new charter, I will bring up one next week, which has long been in preparation, and one which I believe will meet all objections and command the support of all good Democrats and all reasonable Republicans."

"All right," said the out-of-town Senator. "If you introduce such a charter as you say, I shall be pleased to give it my aid. But are you certain you can pass your charter? Has not a Republican combination already been made, as Genet claims?"

"Certain?" exclaimed Tweed. "Yes, positively certain. I will bring up a charter which, as I have said, ought to be acceptable to all reasonable Senators, and one which will satisfy the people of New York; and I will pass it, if I have to step over hell to do so!"

On Monday night, when the malcontents gathered at Tammany Hall to attend the meeting of the General Com-

mittee that was to depose Tweed as chairman, they found the doors of the Hall closed, and a notice pasted thereon, stating that by order of the Sachems of the Tammany Society, there would be no meeting in the hall that evening; and a large posse of police was on hand to preserve order. The Young Democracy leaders were furious at this wholly unexpected check, and immediately secured Irving Hall, corner of Fifteenth Street and Irving Place, where they got rid of their spleen and denounced Tweed to their heart's content; but Tweed, having in the meantime fixed things in New York, had started for Albany to attend to matters there, being materially aided in his efforts by the disclosures made by one who was familiar with the purposes of the malcontents. These purposes were declared to be: to take possession of Tammany Hall, unite with Mozart Hall, make James O'Brien Mayor, John Fox Sheriff, George H. Purser Comptroller, Thomas J. Creamer Counsel for the Corporation, Henry W. Genet Street Commissioner, Lawrence D. Kiernan Tax Commissioner, Michael Norton Police Commissioner, John Morrissey City Chamberlain, and Peter Mitchell a Judge. This combination frightened the people of New York City, and had its effects on the Legislature. The appeal of his opponents to unseat Tweed was then regarded as an invitation to "jump out of the frying pan into the fire."

The Young Democracy charter came up on the order of third reading in the Assembly on the Tuesday following, and when reached, was (in the slang of the day) "knocked higher than Gilderoy's kite." The "Destroying Angel" had been around, as Mr. Kiernan said, and had caused his friends to see things in a different light.

Lawrence D. Kiernan was then a young man of excellent education, a forceful orator, and his aims were worthy of his attainments. What was popularly known as his "Destroying Angel speech," however, was not a formal speech

at all. The Young Democracy's charter was to come up for a third reading in the Assembly at the morning session, and all its friends were expected to be present to support it. Mr. Kiernan's habits were steady as his honor was unassailable. He retired to rest at his usual hour, the previous night, unconscious and unsuspicious of what Tweed and his bag of money were doing among the "reformers" of the Young Democracy.

Next morning, confident that there were sufficient votes to pass the charter opposed by Tweed, Mr. Kiernan was promptly at his post in the Assembly Chamber, arranging his notes preparatory to the great battle. Mr. Kiernan's seat was not far from the Clerk's desk, and was close to Reporter's Row. When the bill was on its third reading Mr. Kiernan gazed anxiously around in quest of the elders and leaders of his faction, some of whom had been designated to urge its passage. The seats of the Young Democracy were almost deserted. Mr. Kiernan asked that the names of the absent members be called. The Clerk complied (with a leer), but the selected champions of the Young Democracy's charter did not respond.

Protracted reflection was not required to illumine Kiernan's mind as to what had befallen the happy family of the preceding day. As he sank to his seat, he said, with a faint smile: "It looks as if the Destroying Angel had passed over the Houses of Israel last night!" This comment spread among the alert newspaper men like flame among tow; and that evening, and next day, and for a long time afterward, Tweed's descent upon the first-born of the Young Democracy was alluded to as the visit of the Destroying Angel; and cartoons representing a seraph with outstretched wings and with Tweed's physiognomy, portentously hovering over the Young Democracy's cluster of statesmen, lent force and humor to Mr. Kiernan's analogy.

Thoroughly whipped both in New York and Albany,

the combination of Norton & Co. subsided at once, and made the best terms they could for a bad bargain. There was no more opposition; and the charter which Senator Tweed brought to Albany, as he promised, passed the Senate with only two votes recorded in the negative; and a nearly similar unanimity marked its passage in the Assembly. And the pen with which Governor Hoffman approved the new charter, Tweed had suitably mounted, framed, and hung in his office, when, under the new charter, he was appointed Commissioner of the Department of Public Works—George W. McLean, who had removed Tweed from the position of Deputy Street Commissioner, to satisfy Tweed's enemies, having been legislated out of office by the new charter.

No victory could have been more complete; no defeat more disastrously decisive. This was the finale of the Tilden-Seymour episode in the Democratic State Convention at Syracuse; and if you will permit me I will add another paragraph to show the connection of Tilden with the plotters.

When General George B. McClellan had been nominated for President and George H. Pendleton for Vice-President in 1864, Manton Marble, editor of the *World*, walked down the aisle of the Convention hall and, in an excited manner, exclaimed: "Now we will place Samuel J. Tilden on the National Democratic Committee!" John McKeon, one of New York City's ablest lawyers, and a staunch Democrat, pointing his finger at Marble, replied: "If you do, I will denounce him. I know his record. He is not a Democrat. He was one of the traitors who destroyed the party in 1848; and he shall never be forgiven while I have breath to denounce him!" Mr. Tilden was not placed on the National Committee; and with Belmont, Barlow, Purser and Marble, he ever after acted on the "rule or ruin policy." With John Van Buren, these gentlemen

organized the Manhattan Club, as a silk-stocking opposition to Tammany, inside of the Democratic party; and when they saw such men as O'Brien, Creamer, Norton and Genet striving to get into power, they determined to use them as stepping-stones, hoping to make of them mere hirelings. The leader of the conspirators, Purser, was in daily communication with Tilden. Purser drew the charter which Norton introduced in the Senate. Had that charter passed, Purser and Tilden would have been masters of the situation. But there was no power of cohesion in such a combination as Marble, Morrissey, O'Brien, Barlow, Belmont, Norton, Tilden, Purser and Genet. It was an unholy alliance, and it met with retribution.

There was an amusing side to all this political fuss; and that was John Morrissey's interview with Horace Greeley just before the collapse of the plot. On the Friday afternoon when all hands came down from Albany, (the Young Democracy cock-sure of success, for their charter was on the order of third reading) John Morrissey met Horace Greeley, editor of the *Tribune*, by appointment, at Delmonico's (at that time one of the most distingue cafes in the City). At first, Greeley promised to meet him in Morrissey's own elegant Twenty-fourth Street gambling-house. Gastronomy had attractions for the philosopher in his old age, so he compromised on meeting Morrissey at Delmonico's, as the "Coming Man," before he should, an hour or two later, on a stomach generously filled, introduce Miss Edgarton, the lecturer, as the "Coming Woman."

The interview was protracted and funny. Morrissey took off his hat and stroked his ambrosial curls like the Democratic Jove he thought himself to be. He grasped the Chappaqua Sage's hand, called for terrapin soup, while Greeley, backsliding from his vegetarianism, ordered devilled crabs. As they sipped and munched, they talked. Presently, the

gambler assumed the role of Mephistophiles, and gave to the editor that of the credulous Faust. The Marguerite prize was to be the Governorship. The box of jewels to win it was the vote—perhaps often repeated—of the Morrissey-O'Brien cliques the next Autumn, when they should have defeated the Ring charter and got an "honest" election law, by allowing every Ward to elect two inspectors and its Alderman to appoint a third.

Faustus Greeley had long loved the gubernatorial Marguerite; he was willing to go to the bad place with the gambler, if such sacrifice must be made to win the Governorship. Said Mephistophiles Morrissey: "Tweed has already promised to help Senator Parker, of St. Lawrence county, to be Governor, and Parker will vote all right on the Tweed charter. Surely, then, it can be no harm to you to take our votes next Fall, if you will use the *Tribune* to dragoon the Senatorial Republicans into helping us and opposing the Tweed charter." "I will do it," said Greeley, tracing fancifully in the debris of a devilled crab the cabalistic word "veto," as if he was already Governor. "On Monday last I went against the Tweed charter, and on Wednesday I went for it; so that on Monday next it will be in fashion for me to oppose it." "But, d—— it, Greeley," retorted Morrissey, "you mustn't go back again on Wednesday." "Ha, ha!" laughed Greeley; "but how many votes can you turn out next Fall, if I get the nomination? "From the First, Second, Third, Fifth, Eighth, Twelfth, Fourteenth and Twenty-first Wards, at least twenty thousand, which should give you the State if you run as well in the interior as you ought to, and if Dana will support you beside; and he will, because we own Dana, soul, body and boots." "Dana be d——d!" growled the philosopher, crunching a crab shell. "Don't trust him; he sold me out in the country the last time I ran for office." "But then the twenty thousand votes?" added Morrissey.

or mistress, which, of course, might be very embarrassing and confusing to the royal personage.

Even the servile crouching of Turk or Chinaman in presence of Grand Vizier or Mandarin is intelligible and excusable because of his birth, heritage and training. No such excuse can be made for the cringing abasement of American freemen to a political Boss.

I blush to record the fact that the Convention which I attended (and the same may be said of every political Convention in this city, even at the present day,) was composed of as spineless a lot of creatures as ever prostrated themselves before a throne, or crouched in the presence of autocratic power. Subserviency was shown not only to the local leader or Deputy Boss himself, but to the understrappers who were supposed to have his ear. Not able to get into the immediate presence of the leader, persons well-dressed and apparently prosperous, as well as those who were ill-conditioned, fawned upon forbidding-looking beings who were supposed to be "close" to the leader, and whose intelligence was limited to understanding orders and obeying them.

Lord Macaulay, in picturing the subserviency of the East Indians, relates that a native chief, noted as a jester, who was charged with being irreverent to Lord Clive, declared sarcastically: "I affront him! I, who never get up in the morning without making three low bows to his Lordship's Jackass!" The "heelers" of the local Boss were obsequiously bowed to and courted on all sides, as soon as they appeared on the floor of the Convention, and a flutter of excitement prevailed from the consciousness that the Boss himself was not far off. There were delegations from four other localities, as the Judicial district embraced five Wards. But as Mr. Breezy hailed from Alderman Sheehan's Ward, and as the word had been given out that he should be

nominated, all interest centered in him and his immediate leader.

Several positions connected with the Court were at the disposal of the Judge to be elected, and the Democratic nomination was equivalent to a certificate of election. There were one hundred and seventy-seven delegates in all, and although many of them had the appearance of independent men, yet every one of them was there as an automaton, to be set in motion and shifted hither and thither at the whim of the local Boss. Freeborn citizens though they were, with the sacred right of the ballot, they were there merely to register his will and obey his orders—without question. Not only this, but they seemed to revel in their subserviency, and to feel joyous and even proud of the distinction of being political slaves. Nor was this degradation confined to the ignorant. Men of education, men who were members of the learned professions, were in that very body, and vied with the worst in sniveling sycophancy. They knew, as everyone knew, that the person who was to be nominated for a seat on the Bench was wholly incompetent, in point of education and training, to fill the office, not to speak of other disqualifications. Yet they were there to obey pliantly the mandates of a deputy Boss and stifle their convictions and their conscience.

The Convention was not yet called to order. Indeed, in its present condition, it lacked order. The hall was crowded, for the nomination of a local Judge was an event of great importance. Forming an estimate from the size of the hall, which was about sixty feet in depth by fifty in width, about four hundred persons were present. Rows of benches occupied about one-half of the space, the first bench being within a few feet of the platform, a crude structure seemingly erected for the occasion at the further end of the hall. Thick volumes of smoke from hundreds of cigars and several

pipes rolled and circled about, gradually thinning and spreading out until the atmosphere assumed the appearance of a thick fog, and, as the ventilation was defective, remained stationary, dimming the lights and rendering respiration heavy and difficult. Yet this stifling condition seemed to have no depressing effect upon the spirits of those assembled. Possibly a large majority of them were "immunes," from long experience, and were impervious to its ill-effects. At any rate, they loudly laughed and joked, guyed and hustled one another, in the best of good humor.

It was a mixed gathering in every sense. Well-dressed, foppish, young men sat side by side with those in working garb; persons who wore diamonds on their white shirt-fronts, or in their gaudy neckties, were cheek-by-jowl with those who wore red or blue flannel shirts smeared with grease or soiled with the smoke of the furnace; some displaying rings set in diamonds and rubies sat close to those of blackened hands, unkempt hair, and faces grizzled with beard of several days' growth—all discussing the question of the hour, or bantering one another in the friendliest manner. Then there was the shabby-genteel "bum," once a force in local politics, whose misfortunes or bad habits had sunk him lower and lower until he was not only overlooked, but avoided, by his former associates, and was the dreariest looking character among them. It was melancholy to witness his efforts to exact some recognition of his former importance, as with a smile and apparent gaiety he went among his acquaintances, forcing his attentions, which, in almost every instance, were superciliously disregarded. A solemn lesson concerning the vanities and mutations of life could be learned that evening from the vain efforts of this decayed and decaying victim of the vicissitudes of New York politics.

The Convention was called for eight o'clock, but it was already half an hour after that time, and the leaders had

not appeared. What was the matter? Was there a hitch? Was the "slate" broken? How could it be? Every man in that hall understood that "Dan" Breezy was to have the nomination, by the order of Tweed himself, and, what is more, that Tweed had had him admitted to the bar, only a short time before, expressly in order to qualify him, according to law, for a Judgeship. Close friends of Breezy were naturally becoming anxious, and, grouping themselves in a corner of the room, engaged in animated conversation.

Soon the tall form of Mike Hickey, the chief "bugler," as he was called, of Alderman Sheehan, appeared at the door, calmly smoking a cigar, his face beaming with confidence, and, with his usual swagger, approached the group who, suspending conversation, anxiously inquired of him the cause of the delay.

"Everything is all right," said Mike, assuringly. "You see, boys, it's just like this: The five leaders is next door in Colbert's (a liquor shop). There's a little hitch about the places to be give' out by the Judge. Alderman Cooney wants the earth for his deestrikt, and Alderman Bill Nix wants the sun, moon and stars for *his* deestrikt. They thinks they'll do up Alderman Sheehan, and sneak away the places in the Court from him; they thinks he's dead slow, they do; but you bet your life they can't throw him down in this business. Then, what d'ye think? They takes Breezy into the private room and tries to give him the gaff; and they wants him to sign a paper to give Cooney the Chief Clerk of the Court, when the Alderman, quick as a flash, says, 'Not on your life, Breezy; I know the law, and you das'nt sign no such thing without running up plumb agin it.' This brace hit 'em right square, and made 'em wilt. Then the Alderman, he again, quick as chain-lightnin,' says, lookin' at Breezy and givin' him the wink, 'Youse can tell the gentlemen, by verbal words, what you'll give 'em.' With that, Breezy then says, sizin' up the posish, 'I will

do the square thing by youse all; leave it to me.' But Cooney is a hard one, and he says, 'No, I wants to get fer my deestrikt the Chief Clerk,' says he, 'and won't give that place up, nohow.' It's all right, though," said Mike; "fer the order is give out, and Breezy can't be side-tracked fer nobody or fer nothin."

From time immemorial the instinct of congregations of human beings, massed together for a dominating purpose, has been commented upon by historians as something wonderful; but the intuition of the throng that filled the hall that evening was truly marvelous. The reassuring influence of Mike Hickey's presence upon the faces of the group was quickly discovered by those assembled, and the oppressive feeling of uncertainty which had begun to manifest itself among them a few moments before (for Breezy was popular with them) disappeared as if by magic, and once more good humor reigned supreme.

Under such circumstances fun was the order of the day, or, rather, of the night. Had there been a band of music, the auditors would probably have been content with applauding the "Star Spangled Banner," "Yankee Doodle," or "Marching through Georgia," as a vent for their exuberance. But, as there was no band to entertain them, the merriment had to find some other outlet. During the bantering and repartee indulged in during the evening, the wit and humor of a young man, about twenty years of age, of strong build, striking countenance and classic head, attracted attention. He was wholly unknown, excepting to one or two persons present, who happened to make his acquaintance as a fellow-guest at a mechanic's boarding house around the corner. Having nothing else to do, he attended the Convention.

James Macrose, the young man referred to, had been at the time only six days in the country, having arrived from Ireland the previous week. It is well to note this incident

here, because this young man, who was of good education and fluent tongue, became in subsequent years one of the most prominent citizens of New York.

While the Convention was awaiting the presence of the leaders, one of Macrose's new found acquaintances called upon him for a speech. In a rollicking spirit the whole assemblage chorused the demand. The young man at first refused, but at further urgency smiled, then looked serious, which, being observed by the audience, made them press their calls all the more. At length he arose with the intention of saying a few words where he stood, but the audience cried "Platform," "Platform," while two or three of those near him pulled him out of his seat and marched him to the platform. Macrose, who was a college debater in the land of his birth, divined the character of his auditors and knew what they wanted. When silence was obtained, he began:

"I cannot call you fellow citizens, because the ship that brought me from Ireland was delayed on the way, and only arrived here last Thursday. You see, therefore, that, without any fault of mine, but owing entirely to the elements, I am not here long enough to have been made a citizen. I am told that, were it not for the storm which so unfortunately delayed us, I could have been here two weeks ago, and that, by being 'properly introduced,' I could have been a citizen several days ago."

This being a sly reference to the naturalization frauds which were then charged in the public press against the Democracy of the City, the audience howled, and amidst laughter and excitement one man, with a stentorian voice, exclaimed: "You bet, he's no fool;" while Mike Hickey, who was known to be skilled in the art of producing "ready-made citizens," scowled and glared at the young speaker. Macrose, seeing his audience divided on this subject, and interpreting the ugly glances of Mike

greeted with tumultuous cheering, rapped on a table with the handle of his umbrella, and said:

"Gentlemen of the Convention, I am sorry to have delayed youse, but certain matters of importance to youse all had to be arranged. (Applause.) There are some men in this world who wants everything; (Sensation) but youse all know me, and I don't give way to no man—when I am right! (Loud applause.) Thanking every one of youse for your kind attention, I now nominate the Honorable Joseph Henderson, your old-time Assemblyman, as the Chairman of this Convention, and all in favor of this will say 'Aye.'" It was carried with loud acclaim, during which Mr. Henderson was conducted to the platform.

Mr. Henderson was a practical man and made a fairly good Chairman. The election of two Secretaries, each of whom held a sinecure position under the city government, followed, and these took seats at a table on the platform, assumed a business-like air, taking up their pens, plunging them violently into the inkstand, and drawing towards them sheets of paper, which were ostentatiously spread over the table, began to write with great vigor and earnestness. This demonstration was intended to serve the double purpose of making a profound impression as to the momentous character of the business on hand, and to convince those assembled, that, at least, the office of Secretary of a Convention was no sinecure.

The machinery now began to work with great rapidity. As each district was called, its representative handed up a list of "duly elected" delegates to the Convention, which the Chairman promptly turned over to one of the Secretaries, who pretended to carefully scan its contents, as if to guard against any "irregularity." Then the same Secretary stood up, and, in great haste, read the names of delegates from each ward who, (or somebody for them) answered as being present. Before the Secretary had time to finish

the reading of the last name, the Chairman was on his feet and said:

"All the delegates being present, what is the further wish of this Convention?"

"Mr. Chairman," promptly said Mr. William Gumpler, a local lawyer, rising to his feet, "I move that this Convention proceed to nominate a candidate for Justice of the —— Judicial District."

He had hardly finished before the Chairman said, his words running rapidly, regardless of pause or punctuation: "It is regularly moved and seconded that we proceed to nominate a Judge—are you ready for question—all favor of resolution say aye, contra no—carried—Mr. Gumpler has the floor."

Of course, it should be understood that this rapidity of action by the Chairman was not the result of impulse, but of a cut-and-dried programme, and before he announced Mr. Gumpler's name that gentleman was already on his feet. Gumpler, who was a favorite practitioner in the local Courts, knew that other lawyers present were anxious for the "distinction" of nominating Breezy, and he was too well-trained to give any of them a chance. But the delay caused by the differences of the leaders over the patronage of the Court now necessitated quick work, to make up for lost time, thus greatly embarrassing Gumpler, who had prepared a speech of considerable length, and who was now instructed by his leader to speak for only five minutes. Even a veteran orator might be depressed and upset under such circumstances. In Gumpler's prepared speech were sentences, any one of which would have occupied the five minutes allotted to him under this arbitrary order. His leader, not being an orator himself, supposed, in his ignorance, that it was much easier to make a short speech than a long one. No man who ever laboriously prepared a speech can withhold his heart-felt sympathy for Gumpler.

But Gumpler was "in for it," and he had to go through with it. Usually self-composed, he, on this occasion, began with marked trepidation:

"Mr. Chairman and Gentlemen of the Convention," he said, without a break, for this part was easy enough, "I rise to nominate a man for the supreme office of Judge, a man who is known to you all, a man of the people, a man who knows you for better or for worse." (Agitation among the audience.) Gumpler, having been married only two days before, in his confusion was dragging himself into the marriage ritual, and continued: "In sickness or in health, he knows you all, until death do us part! (Vociferous applause.) A man," he went on, "who is a man; a man who was none otherwise than a man; a man who is with the people first, last, and all the time; a man who knows your wants, and, knowing, dare maintain them; (A mix-up of his written speech); a man who never was, is, nor ever can be any man, except a man of the people (Cheers); a man who never put on airs by graduating from Columbia College, like his opponent, Gonsfager (Groans for Gonsfager); a man who knows how to distribute justice at a glance, the same as the Honorable William M. Tweed distributed $50,000 among the poor (Applause which shook the building); a man who can judge of right or wrong from his knowledge of his neighbors, including women and children; a man ——— "

At this point the sagacious Chairman quickly arose and said, sternly: "Mr. Daniel Breezy, having been duly nominated for Judge of the ——th District Court, the delegates will vote 'Aye' or 'No' as their names are called."

Whereupon Mike Hickey, at a hasty suggestion from the Alderman, rose and said: "Mr. Chairman, I moves that his nomination, on account of his great popularity 'mongst the people, be made by acclamation." The Chairman put the question, and Breezy was nominated amidst the wildest enthusiasm. Then the Chairman appointed a Committee

"Had I twenty lives to expend, this *moment* is the proudest *hour* of my life," said DAN BREEZY, in accepting the nomination for District Court Judge.

of Three, of which Mike Hickey was the head, to find Mr. Breezy and bring him before the Convention. Expectation was on tip-toe, for the truth is "Dan" Breezy was the idol of those assembled. Breezy was not far away, and in less time than it takes to write it, the Committee appeared with him at the door. When the audience saw Breezy, it is no exaggeration to say that the greeting sounded as if pandemonium had been let loose. The whole audience sprang erect. Hats were flung in the air. Men yelled until the chords in their necks swelled and threatened apoplexy. Their mouths were wide open; their eyes dilated; their whole demeanor so wild and uncontrollable that, under ordinary circumstances, it would have stamped them as lunatics. And it was amidst such an ovation that Mr. Daniel Breezy faced his audience from the platform.

"Fellow citizens," said Mr. Breezy, with a melting pathos in his voice, "had I twenty lives to expend, this moment is the proudest hour of my life! (Applause and cries of 'Bully for you.') I was brought up amongst you all, the men, women and children of this district. I know their hearts and their minds, and when you come before me, as Judge, I will be able, from what I know of you, to decide who is telling the truth and who is telling false. (Applause and cries of 'That's so.') This is the only way a man can give out justice on the square, and I assure you to-night that, if I didn't know I had this quality, I never would be a candidate for the high office of Judge. (Cries of 'Good for you, we know it.') Has my Republican opponent, Isodore Gonsfager, any record like this? ('Never, on your life!' shouted a man at the end of the hall, which sally elicited great cheering.)

"Now, fellow citizens," continued Mr. Breezy, "I would like to discuss the National and State issues in this campaign, which I call upon you all to vote for; but the hour is too late and, without further delay, I want to come down

to the local issue, which his name is Gonsfager. (A voice, 'That's what we want.') Who is this Gonsfager?" asked Mr. Breezy, with stern countenance and heavy emphasis. "Who is he? I ask again. I will tell you. He is one of the dandy graduates of Columbia College Law School. (Sensation, and deep groans for Gonsfager.) Does he know the people over which he asks to preside? Do the people know him from a side of sole-leather? (Loud cheering.) How, then, can he give justice between you? (Cries of 'You're the man to do it.')

"Now, fellow citizens," he concluded, "the hour is late and your waiting was long. Colbert's doors are wide open, and I want you to drink my health, one and all!"

This timely peroration was manifestly regarded as the most acceptable part of his speech, for, with one impulse, the entire throng suddenly sprang from their seats, and, jumping and tumbling over the benches, made a grand rush for Colbert's liquor store.

LETTER XIX.

"TWEED AND HIS GENERALS"—LAST EFFORT OF A PERSISTENT PLACE-HUNTER TO "TAFFY" THE BOSS—SCHEME TO ENABLE POLITICAL ASPIRANTS TO GET NEAR THE HEAD CENTRE—PROPOSED STATUE TO TWEED—WHY IT WAS NOT ERECTED—WHEN PETER B. SWEENY THOUGHT HIS FRIEND TWEED HAD GONE CRAZY—LARK OF ORIENTAL CLUB MEN—BOSS'S "PRIVATE BUSINESS" DOOR AT THE DELAVAN HOUSE.

MY DEAR DEAN:

When Boss Tweed was at the zenith of his glory, during the year 1870, it was the aim of all would-be baskers in his radiance to resort to every conceivable effort and device to win his favor. No one ever tried harder to accomplish that object than did a well-known place-hunter named Frank Duffy, who had long striven to get his name on the city pay-roll, but who, in spite of his best efforts, managed to miss his aim every time.

His attention having been attracted to two engravings, then much displayed in shop windows, entitled "Napoleon and his Generals" and "Grant and his Generals," an idea struck Duffy, which seemed to him a certain winner; and that was to get out a picture of "Tweed and his Generals," embracing portraits of all prominent city officials and local political leaders, to be clustered around the Boss, whose portrait was to occupy the centre. Of course, those who wished to cluster nearest to the Head Centre would have to pay extra for the position, the same as one had to pay extra for choice seats at the theatre. Frank Duffy thought he would greatly please Tweed in this enterprise, besides raking in from five to ten dollars per head from those aspirants for fame who desired to be honored as Generals

of the Boss. After a good deal of hard work, Duffy got the picture published, and gathered in some shekels to recompense him for his effort; but it was a dead failure in the line of procuring him recognition from Tweed; for the appearance of the picture provoked ridicule from the Republican press, and the Boss gave poor Duffy "cold shoulder" instead of the expected "taffy on toast." Again had he missed his aim. "Just my luck!" was his favorite expression.

Frank Duffy was a picturesque character of the period. He always wore a large slouched hat, after the style of "Buffalo Bill," his moustache was waxed at the ends a la Napoleon, and he strutted around, with the air of a Monte Cristo, often without half a dollar in his pocket. He used to boast that he had belonged to "Big Six" when Tweed was foreman of that engine company, and had participated in the parade in Washington at President Buchanan's inauguration, when Tweed was there in command. He also claimed that he was the originator of the "Tiger" emblem of Tammany Hall, having first suggested it as a decoration of the badges worn by Tammany delegates at the State Convention which first nominated John T. Hoffman for Governor in 1866, taking the idea from the oil painting with which the box of "Big Six" was ornamented.

There was some "unwritten history" connected with Duffy which Tweed did not like; for he never took a fancy to Frank. Duffy, tired of looking for a place, finally got to keeping a tavern at Bay Ridge, Long Island, where, one night, several roughs made a raid upon his household goods and money till, and in self-defence, as Duffy contended, he shot at and killed one of the gang. He was thereupon arrested and indicted for manslaughter; but, before his trial came on, death ended his career of disappointment.

Just about the time that Duffy's Tweed picture was being discussed, the proposition of a statute to Tweed came to the

front, and got to be talked of as a bona fide serious matter; yet the whole thing was a "sell," and originated one night at the Oriental Club, (an off-shoot of the famous Blossom Club) where there was gathered a lot of choice spirits, lovers of fun, with plenty of spare time on their hands. They were smoking, drinking and chatting about Duffy's contemplated picture of "Tweed and his Generals," and "Joe" Tooker, (otherwise known as "Commodore," because, for a season or two, he had run a line of steamboats between Long Branch and this city) was urging Eugene Durnin, a well-known politician, to have his photograph taken, so that he might find a place among the "Generals," when Durnin suggested in a half-joking way, that the Boss ought to have something better than a picture to hand him down to posterity, something more durable and palpable—a monument, at least. Later in the evening, over a game of poker, "Commodore" Tooker and his table companions got thinking about Durnin's suggestion of a Tweed monument, and it occurred to them that it would be "a good joke" to pretend to get up, not a monument, but a statue for the Boss, more particularly as it would serve as a test of the friendship of those who so loudly hurrahed for him, and would bring out the personal characteristics of many of them. So, it was determined, then and there, to set about the matter at once, "play the joke for all it was worth," and see what would come of it.

The first thing, of course, was to see and sound Tweed upon the matter, and induce him to give his countenance to the scheme. So Tooker and a strong personal friend of the Boss, Michael J. Shandley, the next day waited upon Tweed, (who occupied offices over the Broadway Bank, on the corner of Park Place), and gave him an inkling of the project. Tweed took the matter coolly and calmly. He didn't care a fig about the statue; still, if out of the proposition a statue should happen to come, he had no objection;

and if it did not come to anything, he would not care. He saw the point, however, where the fun and the human nature would come in, and what developments might arise, when certain political magnates (pretending to be warm personal friends) were asked to exhibit their true inwardness toward him by their subscriptions to the statue fund; and so the Boss, with a chuckle, promised his two friends to sustain them in their scheme, by pretending to take the statue project very seriously, as a personal compliment to himself.

The Tweed statue idea soon assumed tangible shape, became buzzed around among the clubs, and proved a decided bore to all politicians; for, just then, a good many of them were "on the fence,"—not daring to offend the Boss, and yet not caring to endorse him publicly.

It was soon noticed that the rank and file of the Democracy were a good deal more enthusiastic about the Tweed statue than were the holders of profitable offices,—the rank and file having a good deal less to subscribe or lose. All the laboring men (with whom Tweed was a solid favorite,) who could not give or who were not expected to give over a "fiver" at furthest, were outspoken in their enthusiasm for the statue. But the men who would be expected to put their names down for a hundred or more dollars were at first very cautious in expressing any opinion. Finally, a personal canvass and subscription was started; appointees of the statue coterie waited in person on the different city officials and members of the Legislature for their subscriptions; a proposed site for the statue was designated, at the junction of East Broadway and Canal street, which was to be called the Tweed Plaza; a committee of prominent citizens, to have charge of the work, was appointed, and their names were appended to an elegantly engraved circular, printed by the American Bank Note Company.

The first thing done by the managers (Tooker, Shandley and their confreres) was to get up meetings—bogus meetings, of course,—in favor of the Tweed statue, at the Oriental and Blossom Clubs, incidentally sending word to the reporters of the leading papers. The reporters would rush up to the place named, only to meet Tooker, who would assure them that the meeting was so solemnly secret, that, by no possibility, could any reporter have access to it; but, if they would treat the matter as confidential, he would give them "a few points," which he did, and then he would wring the reporters' hands at parting, and beg them "not to give him away." The reporters would assure "Joe," on honor, that they would die at the stake rather than breathe a word of the "points" he had given them, and then would rush down to their respective offices and write out all he had told them—and a good deal more.

About three times a week, the managers would meet at the Oriental Club, to receive reports from those who were endeavoring to get subscriptions, and make a note of what was said by those who were waited upon, for the especial edification of Tweed; and it is believed that he received some surprising revelations, while it was the general request of those who did consent to put down amounts, that their names "should be kept out of the papers." It was said that Comptroller Connolly was especially urgent in this latter request. Others expressed "the highest admiration for the personal character and political sentiments of Mr. Tweed," but for "family reasons" they did not wish to be identified with the scheme, &c.

"Joe" Tooker called upon ex-Congressman William R. Roberts, and, knowing his pet weakness for making speeches, sounded him about delivering an oration at the Academy of Music in aid of the statue fund. "Nothing in the world would please me more than to be the orator on

such an occasion for such an object. Tweed is a king among his peers, a patriot and a statesman, a truly great as well as a truly good man," said Roberts, flapping his coat-tails and extending his right hand, as if already addressing the assembled thousands. "But, unfortunately," he continued, letting coat-tails and right hand drop simultaneously, "I have just contracted a severe cold which threatens to completely destroy my larynx. My physicians strictly forbid me, on any account, to strain my voice; so I must, with unfeigned reluctance, deprive myself of this glorious opportunity to show my appreciation of the one greatest man in America to-day, William M. Tweed."

Roberts (who was looking for a desirable position) came near escaping by this plea. But it being subsequently hinted to him that the Boss didn't exactly understand "how his cold could be so bad," Roberts saw his doctor once more, found he was out of danger, and sent word to the Boss that he was ready to speak at the mass meeting, if no better orator could be had.

Meanwhile, designs for the statute were publicly solicited and sent in. One represented Tweed as a big Indian, with war paint and feathers. Another represented him with a tiger crouching at his feet; in his hand a trumpet, on his head a fireman's cap, and in the background "Big Six" engine. A third represented Tweed in a Roman toga. The Boss did not like this style of "coat" (as he called it) a bit. He said it made him look too much as if he was going to take a bath. There were several other equally grotesque designs.

Returning to the city after an absence of several weeks, Peter B. Sweeny got wild over this statue business—wild with secret rage and mortification and astonishment. Not knowing the origin of the scheme, he thought Tweed must have lost his head; else he would not want to call public attention to himself in that way, and run the risk of bring-

ing himself and all his friends into ridicule just for a statue, a mere personal vanity! So Sweeny sent for a personal friend who had considerable tact and diplomacy in his composition. Not wishing to wound Tweed's vanity, he thought he would avail himself of this gentleman's skill and finesse to try and talk Tweed out of the statue notion. This friend, being quite intimate with the Boss, concluded that he might be of some service, and undertook the mission, to accomplish which he had to go to Albany.

Upon his arrival at the State capital, he went to Tweed's room at the Delavan House, and found the Boss in a good humor, looking at a paper or circular. Asking what might be the contents of the paper which seemed to put Tweed in such good humor, the Boss answered, with a smile, that it was a paper showing the amount of subscriptions, up to date, to the fund for the erection of a statue in his honor. "And, by the way," said Tweed, "I don't see your name on the list, my boy."

The gentleman made some excuse for not having yet subscribed, and, after a pleasant word or two, slipped in a hint about Tweed's "needing no statue" to commemorate him, and all that sort of thing. Sweeny's ambassador flattered himself that he did this in a very diplomatic way, when, to his utter surprise, he found he had "put his foot in it" badly. Drawing himself up and looking at his visitor with mingled wonder and wrath, the Boss asked him to explain what he meant by such innuendoes.

Then the "mutual friend," beginning to warm up a little himself, said to Tweed that, to talk more plainly, he thought the statue busines was a great mistake, and ought to be dropped at once.

"I not want a statue?" thundered Tweed, in pretended wrath, "I tell you, sir, I do want a statue. I deserve a statue, and the Democratic party, aye, and the people, sir, THE PEOPLE think I deserve it. I tell you, sir, I'm going to

have a statue, a bang-up, ne-plus-ultra, sine-qua-non statue! A statue that will be to New York what Bunker Hill monument is to Boston! I have done more for the Democratic party than Bunker Hill ever began to think of doing." And so saying, Tweed stalked off, apparently in something like a towering rage.

All of this acting was done by Tweed to keep up the joke started by his friends; but, as the gentleman knew nothing about the joke, and did not see any joke, but thought Tweed was going "daft," he returned and told Sweeny how mad Tweed was, and how set he was upon having the statue. Then Peter B. did two characteristic Sweeny things: sent Tweed a letter replete with "taffy" and enclosing a check for the statue fund, and determined to prepare for speedy departure to Europe at any moment; for "Tweed has gone crazy, sure," he told his friend.

While not alone the parasites of the Ring, but many men of wealth and culture, were hypnotized by the blandishments of Tweed, it is a noteworthy fact that many other men, poor in purse and obscure in station, saw through the dry rot of the Tweed regime. As an illustration, read this rasping letter published in the *Sun* at that time:

SIR: Inclosed you will find nine cents, my contribution towards the erection of a statue to Hon. W. M. Tweed.

I send this for the purpose of showing my appreciation of the man who, for the last ten years, has defrauded the public, more especially the poor man, out of millions of dollars—so that his image may always remain to the public gaze for generations to come. I want to show the man who has increased our taxation and deprived the poor man of his hard earnings. Then their children may point their fingers and say: "It was he who drove my father to destruction by the enormous rents we had to pay."

THOMAS MCCUE,
(No. 82 Carmine St.)

There were hosts of others like Citizen McCue, of Carmine street, who might not be able to theorize fluently about the incidence of taxation, but whose perceptions on the subject were none the less penetrating and accurate.

But Tweed's head was level enough; and the next Saturday night, at the Blossom Club, he "let the cat out of the bag," and owned to a few choice spirits and especial friends, how the whole statue "racket" had been, from first to last, a sell concocted by "Joe" Tooker and "Mike" Shandley. Tweed then sent a letter to the newspapers, declining a statue, or any other public demonstration on the part of his friends, and ordered every dollar subscribed and paid in for the statue to be returned to the subscribers, an order which was fully carried out. But there was a jolly time that Saturday night at both the Blossom and Oriental Clubs, and, it is needless to say, Sweeny did not find it necessary to go to Europe—just then; while there was gnashing of teeth in certain quarters, when it leaked out that the Boss had not only been provided with a list of all persons who had subscribed to the statue fund, but had been also furnished with the reasons given by others for not subscribing to it. As one of them afterwards expressed himself, "It would have cost so d—n little to have put one's name down for a thousand dollars."

As I have spoken of Tweed's rooms at the Delavan House, Albany, perhaps I may as well add, incidentally, that the Boss, during his occupancy of these apartments, had an extra door put in one of the rooms, so that members of the Legislature (and especially those of the opposition side) with whom he had "private business," could come in and out without being seen by "the vulgar crowd." This extra door was cut through a partition between two rooms, so that a member who wanted to be "seen," in the legislative sense of the term, without being seen in the ordinary sense of the word, passed into a middle room, and thence into a rear room. Leading from this rear room there were two doors at each side, with a trusty sentinel outside, who, when the coast was clear, would give a signal for exit or entrance. This was a good deal like "The Mysteries of

Udolpho" or "The Maze at Hampton Court;" but it meant "business," and the members who had occasion to see the Boss soon got the key of the labyrinth.

LETTER XX.

CHARACTERISTICS OF A SUCCESSFUL POLITICIAN—GENEROSITY INDISPENSABLE TO POPULARITY—FATE OF A MEAN MAN WHO SOUGHT PUBLIC OFFICE—"BUSINESS END" OF A NOMINATING CONVENTION—"DAN" BREEZY IN A NEST OF "STRIKERS"—THE "BLEEDING" PROCESS PRACTICALLY ILLUSTRATED—HOW CAMPAIGN CLUBS WERE STARTED—THE BIG SHOW FIVE MEN MADE—AUDACIOUS CHEEK OF A TARGET-SHOOTING STRIKER—AN IMPECUNIOUS CANDIDATE OF MILITARY FAME, IN A TIGHT PLACE—TROUBLE HE HAD TO SAVE A TABLE.

MY DEAR DEAN:

Do not for a moment imagine that I intend, by anything I have said in a preceding letter, to convey the idea that Alderman Sheehan or men of his type are essentially bad. Nay, more, I am willing to subscribe to the statement that not a few of them have many admirable qualities. Our friend Sheehan certainly had. In view of his representative capacity, his characteristics deserve more than a passing mention. It would not be at all correct to say that he was a man of education in a scholastic sense. Indeed, his accomplishments, in this regard, were bound within a compass which can be best understood by describing him as a person who could read and write with some difficulty. Yet he was a man of singular volubility. His tongue was not eloquent, but his voice was loud. His diction was not as grammatical or as graceful as that of Addison, but it had a force and, when occasion required, a ferocity which would have made that English statesman tremble. Still, so versatile were his accomplishments, that when in the presence of his political superior he could assume a manner and an aspect of humble subserviency and attune his voice until it murmured as

gently as a zephyr. He was a prodigy of physical strength. Considerably shorter than the medium height, he seemed to make up in width what he lacked in stature; or, to describe him in another way, suppose a very tall and thin man were shoved down from the top to the Alderman's height, the figure thus created, with all its incidental bulgings and protuberances, would present a very fair idea of his contour. His lower limbs, short and extremely muscular, were shown to advantage by tight-fitting trousers, whose nethermost parts gracefully widened over a pair of enormous feet concealed in patent leather gaiters, which were always kept in a high state of embellishment by an artist in boot-shining, whose business paraphernalia was quartered within the Alderman's liquor store.

It is a popular notion, founded on long observation, that an Alderman, to be a typical Alderman, must possess a great stretch of girth in the abdominal region. This outward evidence of official dignity was not lacking in the make-up of Alderman Sheehan, yet it in no way impaired or by contrast dwarfed the other members of his body. His chest was expansive and indicated a perfect breathing apparatus. His shoulders were square and of unusual breadth. His neck was thick and short. His arms were muscular and developed to such an extent that his biceps were plainly discernible. Had he lived in Ancient Rome he would have been readily accepted as a gladiator. His head, round as a bullet, gave strong evidences of a determined will strangely combined with kindness and benevolence. He had a striking face; that is to say, you could not pass him without being attracted by it.

He was scrupulously clean-shaven. It was admitted on all sides that he had himself shaved by an expert barber at least once a day, but it was asserted by those in a position to know that, on great occasions, he underwent this operation twice a day. However this may be, he always pre-

sented a countenance absolutely free from the slightest token that any beard had ever dared to grow there. His nose was short, straight and aggressive. His cheeks glistened with the glow of health. His forehead, though not high was broad and indicated brain room. His chin was prominent and, as it were, held its own. He had his mouth under perfect control. It was large, but by no means forbidding. The absence of beard gave it full display. As a general rule it wore a perpetual smile, while on occasions when his anger was aroused, it assumed a firmness and severity before which many a braggart had quailed in fear.

But it would be idle for him to attempt to maintain his local ascendancy in the politics of New York City, without exhibiting tendencies toward benevolence and sympathy with the distressed, which, it must be admitted, formed a dominant trait of his nature. While quickly discerning an impostor, whose appeals he summarily disposed of, no genuine case of distress was ever presented to him in vain. He was never known to keep a pocket-book. The money for his current use was kept in his capacious pockets, loose and scattered, and when his day's work was over he was wholly incapable of telling how much he had expended, or the channels into which his various contributions had passed.

I refer to this subject, because I know that, no matter what may be the faults of the political system of which he and his kind are the outgrowth, there is no more charitable man living on the face of the earth than the New York liquor dealer. No man entering politics in subordinate stations ever made headway who showed any symptoms of penuriousness. I distinctly recall the fate of a man who was for a short time an Alderman and leader in an adjoining district to the one under discussion, who was close-fisted and unsympathetic with the poor. After an experience of six months in office, his constituents, by a natural instinct, detected in him a want

of liberality which proved fatal to his aspirations in the coming election. Alderman Kissam was a man of considerable means. He was wholly deficient in the bodily qualifications which are popularly associated with such a dignitary, for he was lank and lean, and, from his appearance, would never have been accredited with being a City Father. Besides these shortcomings, his habits were unfortunate from a political stand-point. He not only kept a pocketbook, but a very small one at that. Indeed it could not be properly described as a pocketbook at all, but at best as merely a purse, one of those contrivances, about three inches square, which opened and shut by means of a clasp at the top and contained but one compartment. This solitary compartment accommodated one or two bills of small denominations, a few pieces of silver, and a larger quantity of pennies.

Whenever Alderman Kissam gave any pittance in the way of charity, which, to speak the truth, was of very rare occurrence, his mode of bestowing it was most unfortunate for his reputation. Whether it was a dollar towards providing a Christmas dinner for the poor, or a penny to a mendicant, the process of extraction from his little purse was the same. Having fully determined to make the charitable investment, after hearing and considering the appeal—for he was never known to act on impulse—he drew out the purse, slowly and cautiously, turned his back to the supplicant, and searched for the dollar or the penny, as the case might be; then, entirely secure from the anxious gaze of the beggar during his own scrutiny of the purse's contents, he extracted from it the sum which his spirit of charity prompted, closed the purse, put it back in his pocket, and, with a smile of benevolence which Peabody might have envied, delivered himself of his weighty contribution. These exhibitions, few as they were, were as fatal to his political success as if he were suspected to have been the greatest bribetaker

that ever infested the Aldermanic Chamber; and, consequently, at the ensuing election he was buried beneath an avalanche of adverse votes.

As a rule, the liquor dealer in politics makes headway by no false pretenses. He is no better or no worse than he appears. He is free from hypocrisy and cant. He is in politics as a matter of business, and he makes no disguise of it. He laughs to scorn those who sanctimoniously publish to the world that they accept political station for the benefit of the people, and that the sole object of their existence on earth is to see that the taxpayer is protected and the citizen upheld in all his inalienable rights. Such declarations he regards (and justly in most cases) as the merest sham. He is open, frank, free of expression, generous and hospitable. He never dreams that his methods of conducting local politics are otherwise than in harmony with the highest principles of political science, adhered to because of precedent, and justifiable because of example.

Not so with the scheming rogues at the top! Some of these have held themselves forth, not only as persons of eminent respectability, but even of unctuous piety. They have paraded before the public as gentlemen of lofty thoughts and unselfish purposes, when in point of fact they were the most expert liars on the face of God's earth. Their chicanery, their false pretenses, their unscrupulous seizure of everything within reach in the way of public plunder, their arts and devices to filch money from the public Treasury by direct and indirect methods, and their freedom from the slightest trace of a lost conscience, place them in a class of malefactors who, in point of dissimulation and deceit, and in minute acquaintance with the meanest as well as the most daring sinuosities of political intrigue, have hardly a parallel in history.

But, let me now return to "Dan" Breezy, whom I left, in my last letter, in Colbert's liquor saloon, to which the

nominating convention had adjourned with a grand rush, upon the invitation of that highly honored personage.

After the first round of drinks, which was followed with cheer after cheer from his enthusiastic supporters, Breezy was surrounded by congratulating hand-shakers, who elbowed each other and crowded around him in a most affectionate way. Above the din could be heard an occasional exclamation from Breezy of: "Thanks," "A sure thing," "Will see you later"; "You can bet I'll have a walk-over." Then he called out, in a louder tone of voice, "Colbert, what are you doing there, old boy; attend to business. My friends will join me in another drink to the success of the party."

After swallowing a second "pony," amid cheers and exclamations of "Isn't he a daisy?" from those who could not restrain their admiration for him, when his second invitation to the bar greeted their ears, Breezy turned to Mike Hickey, saying, "In a little while treat the boys again, on my account; I've got some private business in the back room."

At the rear of Colbert's saloon was a small room, in which were a couple of tables and a dozen chairs, which the patrons of his establishment would occasionally occupy for a game of "pinochle" or "forty-five," and thither went Breezy, followed by about a dozen individuals who had been looking for a chance to button-hole him, while he was responding to compliments from "gentlemen of influence" from all parts of his district.

The parties who followed Breezy into the private rooms were the "business end" of a nominating convention. One wanted to do the printing of his posters; another to get the job of distributing his placards; another wanted him to buy ball tickets for the benefit of a Workingman's Association; still another had tickets for a raffle to aid a "poor widow;" then there was a reporter from a local

paper, who wanted to publish his "pedigree," with a portrait, and an order for 5,000 copies; several representatives from target companies, desiring prizes to shoot for; and committees from "flourishing clubs" in his judicial district, which proposed to "swing his banner" from their respective headquarters; and, as Breezy attended to each of these in turn, in the artful manner of a wide-awake political rounder, still others were pressing the Judge to visit their respective district meetings to "give the boys a speech." More than half an hour was occupied in attending to this business, during which Breezy was seen to frequently put his hand in his trousers pocket, and haul out five dollar bills, receiving in return tickets for this, that and another thing, until he heard the voice of Mike Hickey, inquiring "if he was going to stay there all night?" Breezy then came out, telling those who still hung around him in the "reception room," that they could see him at his office the next day "down town." Then, shouting out: "Boys, step up, and take something," he called for another round, and asked the barkeeper to let him know how much was due him for "refreshments"? That individual proceeded to get the desired information from Colbert, and returned with the answer "One hundred dollars will be about right. It amounts to a heap more, but Colbert, he says, 'be easy on the Judge; I wants to act square with him.'" Breezy knew that not more than one hundred of his constituents had crowded into the barroom, and at ten cents ahead the four "rounds" would not have reached that princely sum; but, at a look from Mike Hickey, he made no objection to the amount claimed, but squared the account "like a little man." After which, in company with Mike Hickey, he took his departure, stopping in on his way home to see Alderman Sheehan and talk over the plan of campaign.

"Striking" nominees, in the Ring days, was carried to extremes. It was, in fact, a systematic form of brigandage. Those running for office would have been glad to ignore it, but few regarded it good policy so to do. The operations of the strikers were indeed characterized by so much adroitness and skill as almost to excite admiration from their victims.

Of course there were all kinds of "strikers," or, more properly speaking, there were strikers who sought to impose upon candidates for office in all kinds of ways. At an exciting Presidential election it was customary to organize what were called "campaign clubs" in almost every election district of the city, for the purpose of arousing the enthusiasm of the voters in small neighborhoods; and often these organizations became permanent institutions. The known existence of these clubs afforded the political brigands an excellent opportunity to pursue their nefarious practices.

The plan of operations of the campaign club strikers was somewhat as follows: A bright fellow, with a glib tongue, would enlist four others to co-operate with him in the carrying out of his scheme. They would spend a quarter in the purchase of foolscap paper, borrow a copy of the city directory, write down the names of two or three hundred people as enrolled members of the club, then wait upon a saloonkeeper who had suitable accommodations, show him the list of names, and convince him that it would be greatly to his advantage to have the club meet at his place. Having arranged such preliminaries, then the promoter of the scheme would be on the alert for nominating conventions; and, as soon as one was held, he and his associates would surround the nominee, picture to him the great importance and influence of the members of the club, and advising him of its intention to enter heart and soul into the campaign, read him some resolutions in favor of supportin him, and exact a promise from the nominee to honor th

club with his presence the next night, or as soon thereafter as possible.

On the night appointed for the meeting, the five men would be on hand "good and early," securing from the saloon-keeper a couple of kegs of beer and a dozen glasses, "just to quench the thirst of the boys," assuring him of more liberal patronage later on; and then they would run around the neighborhood and get together fifty or sixty men and boys to participate in free beer, and hear the new candidate speak, &c. And when assembled the head-striker would keep the crowd good-natured by telling stories and anecdotes, while he would assure those present that "a good speech" was in store for them when the nominee turned up.

As soon as it was ascertained that the candidate had reached the neighborhood, the prime mover would locate two of his associates, one on each side of a table, to act as secretary and treasurer, make of another a presiding officer, while the other was seated in the audience, to act as claqueur, and start the "enthusiasm" at a signal to be given by him. Then the promoter would begin a political harangue, to kill time, and just at the moment when the candidate entered the room, he would mention his name, the claqueur would rise and propose three cheers for the nominee, always enthusiastically given, and this "unparalleled enthusiasm"—as the daily newspaper reporter might be induced to call it—would greatly flatter the candidate, who, bowing to the right and left in acknowledgment of the applause, made his way down the centre aisle, at the invitation of the presiding officer, to "take a seat on the platform." And then, called upon for a speech, he would indulge in the usual buncombe. At the close of his remarks, and after the applause with which the speech was greeted had subsided, the head-striker would address the chair, and say that, in view of the handsome recognition which the nominee had given their "time-

honored club," he would move that, for the purposes of the present campaign, its name be changed to that of the honorable gentleman they had resolved to support. The claqueur would rise to second this motion, but when so seconded, the chairman would state that "under the rules any change of the by-laws would have to lie on the table for a week." The head-striker would then express his regret at the necessary delay, and not press his motion; but the time required to comply with the by-laws was for another purpose.

The candidate would now feel that he ought to give some evidence of his appreciation of the honor he had received, and of the higher honor proposed to be conferred upon him, and invite those present, upon adjournment of the meeting, to enjoy the comforts of the saloon below; which invitation would of course be accepted, and the promoter of the enterprise would then arrange with the saloon-keeper that not only the drinks ordered by the nominee, but the beer used up before the candidate's appearance, should be charged in one lump to the nominee. Of course, under the circumstances, the candidate would not stop to dispute the bill. And so the saloon-keeper and the club covered their expenses that night out of the nominee's pocket.

The next day, the head-striker and two of his companions, in behalf of the club, would call upon the candidate before he had time to cool, and requesting a subscription to aid it in putting up "a transparency" with his name on it, obtain from him a couple of hundred dollars for campaign expenses, which sum, when received, would be divided between the promoter and his confreres, and that would be the last that candidate would hear of the club. But, there were others.

It was the custom among almost every branch of skilled mechanics, as well as among the members of the fire

engine companies, to have a day's outing in October of each year, when, to add interest to the occasion, they would shoot at targets for prizes contributed by the friends of the members; and the better to carry out the semi-military appearance of the turn-out, would organize themselves as companies, marching to their chosen locality with a band of music; and after the shooting and distribution of prizes they would have a regular picnic with their families, and a dance to wind up the festivities of the occasion. These were enjoyable, and generally well-conducted affairs.

But, this target-shooting feature, occurring just before the annual elections, was also made use of by the striking fraternity as a means to "bleed" candidates for office.

A story is told of an impecunious politician of military fame, showing how, when once he was running for Congress, he was waited upon and victimized by strikers who represented themselves as an authorized committee from a target-shooting organization in the candidate's district.

When the bogus committee called upon their intended victim and made known their mission, the candidate, who had doubtless been overrun with many similar applications, pleaded poverty, and vowed that, just then, he did not have a five dollar bill in his pocket.

"But, perhaps, your wife has some money with her," suggested the spokesman of the alleged target-shooters' committee, who happened to know that the lady had at least the reputation of possessing ample means. "The shooting comes off day after to-morrow," he added, "and we are hard pressed for time to arrange matters."

The candidate's first impulse was to knock the impudent fellow down, but realizing that he was in a close contest, and needed every vote he could get, sober second thought advised him to go and see his wife. While discussing the situation, he "arranged" with her that there was only twenty dollars in her possession, and received that amount

from her. Returning to his visitors, he told this fact to the target committee. The spokesman of the party took the matter very coolly, however. He was equal to any emergency. He did not seem touched in the slightest degree by the candidate's pecuniary trouble.

"Twenty dollars," said he. "Well, General, let us have the twenty dollars for the boys, and I will explain how you are fixed," and he stretched out his hand for the $20, which the candidate unhesitatingly delivered to him.

"Now, General," said the striker, when he had counted the money and put it in his pocket, "this $20 is all good enough for beer money for the boys, but you must give us something worthy of yourself as a prize—something the boys can show—a watch or a diamond ring—something to shout for and make them feel they are appreciated, so they can work all the harder for you. Don't you think so, Jim?" he continued, addressing one of his associates.

"Of course! The boys will expect something real nice from the General," responded Jim.

The candidate, who could hardly restrain his indignation at this cool proceeding, had his breath nearly taken away, when the spokesman of the party, walking toward a valuable mosaic carved table in a corner of the room, which was a wedding present to his wife, said:

"What a splendid committee-room table this would make for the boys. We will be satisfied with this table, General; and, to save time and expense, we will take it right along with us now. When the boys see that table, they will go for you sure, and never forget you."

"That's so," the man, known as Jim, chimed in; "the boys will rally 'round you, General, for that table, and no mistake."

"Bet your life on that," exclaimed the third committee man, who thought it was now time for him to say something.

Each of the scoundrels had at a glance gauged the value of the table, and was mentally calculating how large a ransom the General would pay rather than part with it; for that was the scheme of the trio.

The candidate, while ready to burst with rage, at this climax of cheek, could not help admiring the monumental impudence and persistency of the gang of would-be marauders, though he did not propose to let them despoil him of his property. But it cost him, as he afterwards freely admitted, about half an hour more of talk, and his wife's check for $50 to save the table.

This incident will give you an idea of the "gall" and impudence of some of the strikers who flourished in the flush days of the Tweed ring. There are plenty of deceptive rogues ready to take advantage of and "bleed" aspirants for office nowadays, but, like a good many of our present day politicians, in comparison with their prototypes of thirty years ago, they are mere pigmies.

LETTER XXI.

"DAN" BREEZY'S SKILFUL MANAGEMENT OF HIS WHIRLWIND CANVASS—AN ACKNOWLEDGED "CORKER" AS A CANDIDATE—VINDICATING HIS JUDICIAL DIGNITY TO A TORCHLIGHT PROCESSION—OVERPOWERING APPLAUSE RATTLES HIS PREPARED SPEECH—MIKE HICKEY GIVES THE CUE TO THE JUDGE-ELECT—BUT EVEN TEN-CENT WHISKEY FAILS TO MITIGATE HIS DISMAL ORATORICAL FAILURE.

MY DEAR DEAN:

Perhaps no phase of official life in New York during the Tweed ascendancy afforded more amusement than the administration of justice in the lower Courts. By "the lower Courts" I mean local tribunals for the trial of civil actions where the amount involved in a case did not exceed $250. They had also jurisdiction in summary proceedings for dispossessing tenants. These Courts must be distinguished from Police Justices' (or Magistrates') Courts, the functions of which were confined to committing for trial those charged with crime, and inflicting punishment on those guilty of minor delinquencies. These Magistrates or Police Justices were appointed by the Mayor, and there was not then any requirement that they should be lawyers.

With the Judges of the local Civil Courts it was different. They were not only elected by the suffrages of their respective districts, but it was necessary that they should be members of the Bar. In many instances, those elected were mere Ward politicians, whose admission to the noble profession of the law was accomplished in the brisk and jovial manner described in a preceding letter. I do not say that all of the districts in New York were so represented, but a large majority of them were. This evil, in latter years, has

almost wholly disappeared. Nor was the scandal, arising from the administration of justice at the hands of such men, one hundredth part of that flowing from the conduct of the skilled rascals who presided in some of the higher Courts.

Of course, the moral sense of a large portion of the community was much offended at the spectacle of grossly incompetent persons occupying seats on the judicial bench. But the mischief was happily confined within narrow bounds, and many people were more inclined to be amused than shocked at the grotesque ignorance and incapacity of some of these judicial dignitaries.

In a preceding letter, we parted company with Mr. Daniel Breezy at the point where, having invited the entire convention to drink his health, on the occasion of his memorable nomination for Judge of the ——th District Court, he had gone home to rest after his arduous labors.

He is too typical a character for us to lose sight of so soon. Besides, I have not informed you that, after a most exciting campaign, in which he used all the devices of a skilled and experienced politician, he was triumphantly elected. I wish I could follow Mr. Breezy through the varied features of that canvass. His opponent, Gonsfager, had the advantage of Mr. Breezy in some trifling particulars. For instance, he was well-educated, and had been a practicing lawyer of twelve years' standing. Then he could make a good public speech, in which no glaring violations of the rules of English grammar cropped out for the amusement of anybody. Besides, he was sarcastic, and tried to bring Mr. Breezy into ridicule. Many people thought it a shame for Gonsfager to refer at all to Mr. Breezy's want of education and knowledge of law. But while Gonsfager was discussing such dry subjects, Breezy was continually on the wing, dashing here and there among the people, both his hands engaged in shaking those of everybody within reach, whether he knew them or not,

of education; but you will be surprised to learn that, during the last days of the canvass, doubtless in sheer desperation, he had come out on the open, and assailed Mr. Breezy in the bitterest terms as "an illiterate ignoramus."

Had Gonsfager confined his assaults on Mr. Breezy's character to the ordinary accusations of ballot-box stuffing, repeating, trickery, gambling, lying, intoxication, brawling, and kindred irregularities which were then, and are even to-day, regarded as within the lines of legitimate "criticism" in election contests, all would have been well, and forgiven and forgotten; but Gonsfager, with black malice in his heart, went so far as to allege that Mr. Breezy was ignorant, not only of law, but even of the English language; which reproach was especially offensive in Mr. Breezy's case, inasmuch as he knew no other language; and Gonsfager went to the extent of saying in public, and in other places, that Mr. Breezy could not write five lines grammatically, that he could not talk correct English, not to speak of writing it; and so depraved had the heat of the canvass made him, that he even dared to mimic Mr. Breezy's pronunciation and phraseology, to the amusement of his hearers.

But Mr. Breezy was going to have another triumph to-night. With all the *éclat* of a Judge-elect, he was to make a speech before his constituents, and he was determined that, while he might not prove himself to be an orator, he would at least show them that he was a man who would be no disgrace to the Bench.

In front of Alderman Sheehan's liquor store a platform was improvised, with the aid of two trucks and a few whisky barrels, before which the paraders assembled in considerable numbers. The local leaders appeared on this platform about ten o'clock, and among them was Judge-elect Breezy. It is no exaggeration to say that his appearance was greeted with tumultuous applause. On order being restored, Judge-

elect Breezy, looking unusually dignified and with almost a severe countenance, spoke as follows:

"Fellow Citizens: I thank you sincerely for this magnificent procession which you have got up in my honor."

[Breezy paid for the whole thing]. This observation, for some reason not easy to understand, brought forth vociferous applause. The explanation is this: that the new-found manner, attitude, voice, distinct enunciation and oratorical emphasis, with which Mr. Breezy delivered himself of the foregoing sentence, took the audience by such surprise that it evoked an applause which the most eloquent phrase of the greatest orator could not elicit. Mr. Breezy stood before them a new man—"redeemed, regenerated and disenthralled," as it were, "by the irresistible genius" of a triumphant election. The applause did not stop when it should. It went beyond legitimate bounds. It is recorded of a great actor that, in his early career, unexpected applause at the termination of some deliverance brought him such confusion that he suddenly forgot his lines and made a failure of the rest of the part. So it was with Judge-elect Breezy.

Had there been no applause after his first sentence, or if even the applause had been moderate, he would, in all probability, have recollected not only the next sentence, but, perhaps, the entire speech which he had so carefully memorized. But as it was, the audience shouting, the array of new brooms dancing up and down, the torches recklessly waving to the right and to the left, giving the scene the appearance of a ferocious war dance, with the leaders by his side holding their hats high in the air and shaking them vigorously, the most experienced orator in the land might have been embarrassed. It was little wonder, therefore, that Judge-elect Breezy forgot his lines. He saw the tumult gradually subsiding, and the audience settling down to hear more from him. The consciousness that he forgot the lines

of the next sentence began to unnerve him. He tried to think of some part of his speech, disregarding sequence or connection, but he could not remember even one word. He became bewildered and dumbfounded. He awkwardly shifted from one leg to another. His dignity was broken, his face lost its judicial gravity, and assumed a silly and painful grimace.

Taking in the situation and promptly stepping to the front, Mike Hickey said: "Let's all give three cheers for Judge Breezy!" While the audience were indulging in this pastime, Judge-elect Breezy partly recovered himself, and caught a mental flash of a portion of his speech when, at the close of the cheers, Mike Hickey shouted: "No slanders of Gonsfager can down a chicken out of de blue hen." Now, one of the best sentences of Judge-elect Breezy's speech, which had been prepared for him by Lawyer Gumpler, was: "No gentleman of Mr. Gonsfager's pretensions can justify his conduct in flinging scurrilous epithets at his opponent." The name of Gonsfager, mentioned by Mike Hickey, brought back remembrance of at least a portion of the above sentence, but it would have been better otherwise, for the Judge-elect had not recovered his equipoise, and instead of delivering the lines verbatim, he spluttered out:

"Gonsfager—Gonsfager is no gentleman to chuck out dirty epitaphs at me. But, as the hour is late, I won't give him no further notice to-night. Far be it from me to soil the English language with a man like him."

During the applause which this blistering sarcasm evoked, the Judge-elect withdrew. In company with several congenial spirits, he regaled himself at the bar until long after midnight; but not even ten-cent whisky could dispel the cloud of gloom which depressed him, as he reflected what a dismal failure his part of the demonstration was, and he inwardly promised himself that, as long as he lived, he never again would attempt to deliver a prepared speech.

LETTER XXII.

HOW THE JOKE OF A WAG ADJOURNED A SESSION OF THE BOARD OF ALDERMEN—DESCRIPTION OF AN EAST SIDE SALOON—ITS EQUIPMENT FOR RAPID DRINKING—HOW IT DIFFERED FROM A LAGER BEER PLACE OF REFRESHMENT—NOTICEABLE INDIFFERENCE OF GERMANS TO LOCAL POLITICS—THE SHINY HAT BRIGADE AND THE DUTIES IT HAD TO PERFORM.

MY DEAR DEAN:

At the period referred to in the opening of my last letter, the liquor dealer was perhaps a more important factor in local politics than at any time since, and certainly much more so than he is at present. Great men existed before Agamemnon, and besides the Judges, the Mayors, and other great City officials, there have been and are men in New York greater still. Talk not of your Mayors, your corporators, or your men of law; the man of liquor, at the time I write of, was ahead of them all in influence and importance. Priest of the great god Bacchus and deep in the politics of the day, he dispensed solid, no less than liquid favors. As an instrument of benevolence, or as an agent more or less prominent of the Boss, he was invaluable to the man in search of a job. The policeman set to watch his movements was his slave. The New York policeman of those days and nights was an amiable as well as a shrewd functionary, knew where to look for a friend when he wanted one, and so was not too exacting in the performance of his duty where a liquor dealer was concerned.

O'Connell, the great Irish statesman and lawyer, used to boast that he could drive a coach-and-four through any Act of Parliament; a New York liquor dealer could drive a whole freight train through the most Draconian Excise

statute of the State Legislature. There was then, as now, a Sunday-closing law in New York, and the law with regard to other days required that liquor saloons should be closed at 1 o'clock A. M. Yet there was one liquor dealer, then doing business within a stone's throw of the Law Courts and the City Hall, who used to boast that his house had not been closed, day or night, for the preceding thirty-nine years, and many others could make similar boasts, for periods more or less long, according to the age of their establishments. If one stepped into a liquor store in those days, and, indeed, in times long after those days, it was no uncommon sight to see the policeman of the district seated by the stove, if in Winter, his baton at rest, and his great body relaxed in the easy enjoyment of the hospitalities of the house. The law prohibiting the sale of liquor beyond certain hours was practically a dead letter; the people despised it as an attempt to limit their natural rights, and they seemed to have allowed it to be passed only to show how easily it could be broken.

It is not surprising, therefore, that many of the local elective offices were then filled by the liquor men. As illustrative of this, a story is on record in the daily papers of the period, that a certain wag subsidized a newsboy one day to rush into the Council Chamber, while the City Fathers were in session, and, addressing nobody in particular, shout, loud enough for every Alderman to hear, "Mister, your liquor store is on fire!" Whereupon, all the members of the Board jumped to their feet, and each fearing that his store might be the scene of the conflagration, rushed pell-mell towards the door in undignified disorder and panic.

This was the condition of local political affairs at the time when I, in company with a friend, entered Alderman Sheehan's saloon in 1870, as stated in the opening sentence of a former letter.

I need not trouble you with any irrelevant remarks on the nature of the business which took my companion (Mr. Jones) and myself to the Alderman's place of business. As it was the Alderman's *only* place of business, and as he had jurisdiction over a large variety of subjects, public and private, as before related, many plausible reasons might be assigned for our presence there; but after this long lapse of time I prefer leaving the matter to your imagination, more especially as I have already said that the night was bitterly cold.

A New York liquor saloon in those days, while not, strictly speaking, "a thing of beauty," or so bedizened, burnished and illuminated as such places are to-day, when they outshine in splendor the ancient palace of the Alhambra, was a cozy and comfortable retreat from the storms of the world. The floor, covered with saw-dust, gave a soft sensation to the feet, which required but little imagination to make one believe, in certain stages of spirituous excitation, that he was walking on a carpet of elastic and luxurious texture. Besides this comfortable feeling, the saw-dust kept those who were inclined to be unsteady from slipping and giving rise to suggestions that they had drink enough, while the absorbent nature of the material itself concealed from view the sloppy evidences of tobacco juice and dripping beer, which would be plainly observable on a bare floor. A huge stove, protuberant at the centre and painted white, perhaps as an emblem of purity, but in its uncouth shape and enormous dimensions resembling more a Hindoo idol, stood in the middle of the bar-room, and gave out intense heat, which had the effect of increasing the bystanders' thirst, and, acting in conjunction with a rapid run of drinks, stimulated the brain into an abnormal degree of activity. A large mirror behind the bar reflected long rows of glasses of various sizes and patterns, together with an array of

bottles and decanters, containing nectars of different hues and various degrees of capability.

The saloon itself was a room about sixty feet in length by twenty-five feet wide. There were no chairs or lounges, or seats of any kind. This was then, if not altogether now, characteristic of the regulation bar-room. The absence of these ordinary accommodations, at first sight and without proper explanation, may seem indicative of an inhospitable feeling, but, rightly considered, it was entirely consistent with correct business principles. What was required was rapid drinking, not lounging. None of that slow, lazy and stupid process of imbibition which is nurtured by chairs and tables—where the same men may sit for hours looking each other solemnly in the face, without mixing up with the general crowd of drinkers—was tolerated in a place like this. True, there were then drinking saloons in New York where lethargy was promoted even to the extent of having easy chairs for guests; but that was confined distinctly to German districts, where the comfortable and phlegmatic Teuton sat, smoked his pipe and sipped his beer or "schnapps," looking, all the time, as serious and impassive as a philosopher or a dyspeptic, answered questions in monosyllables, yawned, slept and sometimes, it may be, snored. It being easy to see, from these and other evidences, that he was either incapable of grasping the finer intricacies of local politics, or, more likely, was indifferent to them altogether, the experienced politician readily concluded that nothing of value could be learned from him. By reason of this apathy on the part of his customers, the German saloon-keeper himself, having no motive in keeping himself "posted" in public affairs, knew as much of real New York politics as if he had never left the fatherland.

It is necessary to dwell at some length on the distinction between this lack of taste or capacity on the part of

the New York German for the intrigues of local politics (he has been doing better, in later years) and the marvellous adaptability shown in dealing with them by some of the other great foreign-born elements, in order to account for the fact that so few of the former used to obtain offices. At the same time, it must be said that whenever one of that nationality secured a nomination for a local office, the enthusiasm of the German voters of the district was temporarily aroused. As this predisposition is even to-day an important consideration in analyzing the voting population of this city, I deem it prudent, even at the risk of undue digression, to narrate an actual occurrence which will more thoroughly explain what is meant.

While an exciting campaign was proceeding for the election of President, there were also contests going on for several offices in the State and City governments of New York—Governor of the State, Mayor of the City, and some subordinate positions, including those of Aldermen and Assemblymen from the several districts of the municipality. Among the rest, the Democrats nominated one Heidelgraff for Alderman, and one O'Brien for Assemblyman, in a strongly German district. Of course, the Republicans had opposing candidates, while still other candidates were in the field as representatives of independent organizations, which largely impaired the strength of the Democratic vote, causing it to be, to a certain extent, divided. On the day of election, a gentleman named Kiernan, a cultured and able man, holding an important public station in connection with the Board of Public Instruction, and author of the celebrated "Destroying Angel" speech in the State Legislature, in the days of Tweed—already spoken of—was driving through the district referred to, which was in the outskirts of the city, and stopped to take lunch at Weinheimer's well-known Inn. Host Weinheimer knew and had the highest respect for Mr. Kiernan, who had often

before called at the establishment to refresh himself and his horses, whenever he drove to that part of the city. Although it was a busy day, being election day, Mr. Weinheimer gave the guest his usual hearty welcome.

"Well, Mr. Weinheimer," said Mr. Kiernan, "how is the election going?"

"Oh! Heidelgraff is elected sure," responded Weinheimer.

"Yes, but how is Cleveland (candidate for President) running up here?" inquired Kiernan.

"Ach, Gott! Mr. Kiernan, what's the use? Heidelgraff sure is elected."

Concluding that National and State politics were not within the sphere of Weinheimer's interest or intelligence, Mr. Kiernan proceeded to try him on City politics. "Well, Mr. Weinheimer, do you think the Democratic candidate for Mayor will be elected?" he asked.

"Now, we speaks all day, Mr. Kiernan; it's no use at all. Heidelgraff is sure our next Alderman," replied Weinheimer.

Kiernan was at length willing to come down to district issues, and asked, "How will my friend O'Brien, who is running up here for Assembly, make out?"

"Mr. Kiernan," replied Weinheimer, "no man will beat Heidelgraff. You may take it for sure, he is elected!"

Kiernan, now a little nettled, said, slowly and with marked emphasis: "Mr. Weinheimer, Heidelgraff and O'Brien are running together as candidates of the Democratic party, one for Alderman and the other for Assembly; you understand, both are friendly to each other in this election. Now, you say Heidelgraff is all right. Will my friend O'Brien be all right, too?"

"Well, Mr. Kiernan," said Weinheimer, looking pained at Kiernan's want of comprehension, "I tells you as though we talks all day, *ach Gott, soll uns behüten*, it's no use,

Yust read to-morrow morning early the papers yourself, and you will see sure Heidelgraff is elected Alderman."

Another striking feature of the New York liquor saloon is that, different from your European custom, the allotment of whiskey is never measured out over the bar to the customer. Your process of delivery of this article is somewhat tainted with a suspicion of niggardliness; for when a man in London, or Glasgow, or Dublin, or any other part of Great Britain or Ireland, steps up to a bar and asks for a drink of whiskey, the attendant keeps the bottle containing the stimulant in his or her own custody (you have lady bar-tenders), carefully pours out the drink from a regulation pewter measure, as if every drop of it was an extract from the golden fruits of the Hesperides; while in New York, and in every city, town, village and hamlet in the United States, the bar-tender (never a woman) fearlessly, and with perfect confidence in human nature, delivers the bottle to the personal custody of the customer who, without let or hindrance, refreshes himself as suits his own taste and capacity. It would be most unbecoming of me to criticise your business methods, but you yourself must inwardly confess that this sublime faith in the moderation of human appetites, whereof our method of dispensing liquor is a standing monument, should forcibly appeal to the better and higher part of your natures!

But I am not so interested in dilating on the mere physical and spirituous characteristics of the liquor saloons, or on the peculiarities of their proprietors, as I am in the attempt to point out the moral and intellectual forces which, although limited and uncertain, still at that particular stage of our city's history powerfully affected, if they did not actually control in the first instance, the machinery of the municipal government.

Let me not be understood that, in speaking of moral and intellectual forces, I regard these qualities as having alone

LETTER XXIII.

AWAKENING OF THE GERMAN ELEMENT TO ITS POWER AND IMPORTANCE—ITS POLITICAL ACTIVITY EXCITES ALARM IN THE IRISH ELEMENT—CONCESSIONS MADE IN THE SHAPE OF NOMINATIONS—FIRST TEUTON OFFICE-HOLDERS NOT A SUCCESS—WHAT BROUGHT DOWN A POMPOUS ORATORICAL ALDERMAN—AN APPOINTEE WHO THOUGHT HE HAD TO DO SOME WORK—HIS PERSISTENCY ENDED BY "CUTTING HIS WIND."

MY DEAR DEAN:

It was intimated in a preceding letter that, at the time of which I was writing, the German element in New York, while representing a large number of votes, was not honored with public office at all commensurate with its importance as a factor in deciding elections. It was supposed by many persons that, on account of the taste and capacity of the German for business, and his marked success in many of its most prominent departments, his ambition was content to be confined entirely to these pursuits, leaving the turmoil and violent activities of politics to the other elements, native and foreign born,—especially to the Irish, whose avidity for the excitement of political strife seemed more than half indigenous to their nature. But such is human vanity that, after a while, the Germans began to look with an increasing jealousy at the marvelous progress of the Irish in the field of politics, and in the more alluring field of public patronage. This was not unreasonable when we consider the circumstances. The predominance of their Irish fellow-citizens was a fact brought every day obtrusively before their eyes. They were in entire control of the Common Council of the city, a body important enough to be regarded as a local parliament and

one which had probably more real power than anything in the nature of a parliament the German had seen in his own country prior to that time; so it was not to be expected that he could look on this monopoly of authority without a rising pang of envy. This sentiment, however, did not begin to take visible form for some time. Young men born in New York, of German parentage, were the main factors in arousing and stimulating it into activity.

Anxious for political preferment themselves, they chided the elder Germans on their want of "public spirit," and drew their attention to the fact that the latent power resting in them was being frittered away until it had become an object, if not of open ridicule, at least of something very like contempt. Indeed, this, to a certain extent, was true, for the uneven distribution of power and patronage was so glaring as to be made the subject of many jokes and jibes at the expense of the German. The situation forced itself through a variety of channels into public notice, and found its way even to the stage. A noted and versatile comedian of the time, the late Dan Bryant, added fuel to the flame by playfully satirizing, while pretty clearly indicating, the relative positions of the parties, in one of his songs, set to a popular air. The burden of the song was a mock invitation to the Irish to go out West, and occupy themselves in cutting down the primæval forests as their proper sphere of action, followed by their emphatic but humorous refusal to do so, as expressed in the following refrain:

> "No! Let the Dutchmen go out there and work,
> But, be jabers, we'll stick to the city!"

These and similar jocularities, combined with arguments and importunities of the young and ambitious German-American, began to do their work.

It was not long before there appeared organizations in several German strongholds, under the names of "The

German-American Association of the —— Assembly District," "The Independant German Democracy of the —— Ward," and others of a similar character. These clubs, after a while, began to grow in number and importance, and to assume, what not unnaturally appeared to politicians in power, an alarming and even threatening attitude. They were fast approaching that stage, always dangerous to machine rule, in which they could hold the balance of power between the two great parties of the city, and so be able to control as they pleased the destinies of either.

Irish-American politicians began to see danger of invasion, or rather of intrusion, into their domain, and protested against the existence of such Clubs as "un-American." They argued, and, in truth, argued justly, that there should be no such designation as "German-American," that we were all "Americans," and that the adoption of any prefix which limited or qualified the term, more especially one of foreign significance, reflected upon its dignity and robbed the citizen of his highest honor.

I recall one politician who took a specially dismal view of the situation. Ever since he came from Ireland, twenty years before, he had been favored by fortune. At the time I speak of, and for many years previously, he occupied the position of Justice of one of the District Courts of New York—tribunals of limited jurisdiction. At a complimentary dinner to a politician just elected to Congress, Judge Connors (the gentleman in question) was an invited guest. At an advanced hour of the evening, he was called upon for a speech. The Judge, evidently bearing in mind the fact that this new activity of the Germans was a menace to his own security, as one of the would-be local Bosses, especially as his term of office was about to expire, delivered himself of the following warning, with great impressiveness and judicial gravity:

"Gentlemen, I know not what you may think of the situation, but *I* view with great alarm the growth of the German element in this country of ours."

The strife between the two great foreign born elements did not, of course, go so far as an open declaration of hostilities; but it existed, nevertheless, in a quiet and repressed form. The great quartette which constituted the then existing Ring (Tweed, Sweeny, Connolly and Hall)—of all of whom I shall have something to say hereafter—observing that this new power, if not handled judiciously, might prove to be a disturbing element, shrewdly resolved both to avert the danger and capture the German influence by granting it some concessions in the way of nominations.

Accordingly, in three districts thickly peopled by Germans, they were permitted to name three candidates for Aldermen, and the three were easily elected. Among them was one Louis Bamberger. Although a man of ordinary education, Bamberger was a member of the Bar, but his professional labors were altogether confined to the local Courts, either civil or criminal. With a wonderfully sonorous and aggressive voice, he could make himself heard in the largest hall, and in the open air to an incredible extent, whenever he harangued his fellow countrymen, which he frequently did.

He believed it was his special mission to exemplify German genius in the field of oratory, and that by making addresses on all available occasions he would raise the standing of his long-neglected countrymen in the politics of the City.

Numerous were the speeches he delivered in the Board of Aldermen, but it is not on record that he was ever able to procure the passage of a solitary ordinance. There was a policy underlying this check to his success. For some years preceding his accession to the office, his district was represented by Alderman Kearns, a silent, but active and

persistent man, who had been the means of passing numerous ordinances of local interest relating to the flagging of sidewalks, repairing of streets, erection of watering-troughs, establishment of gas lamps, and many other requirements of his district. Now, nothing of this character was being accomplished under Alderman Bamberger, and, as a consequence, he was suffering by contrast in the estimation of his constituents. This loss in prestige greatly exasperated him, and he had got into a habit of giving at each session of the Board many evidences of a temper sadly soured, and of his determination to resent the injuries inflicted upon his reputation.

Instead, however, of this behavior having any mollifying effect upon his colleagues, it only made them the more resolute in their course of obstruction to his measures, and the more anxious to still further belittle him by a reckless indulgence of their wit at his expense. Driven almost to desperation, he cared little what language he used in criticizing them. On one occasion, he made a speech, in which his voice was raised to a pitch that was in itself a challenge to battle. "You," said he, addressing his associates in bulk, "are called 'The Forty Thieves.' I don't know as you deserve it, for you keep me outside the inside circle. But I am ready to stand before any man here, face to face, and will meet him as a foe worthy of my steel."

"Which *steal* do you mean, Louis?" broke in Alderman Maloney, in a cynically significant tone of voice. The auditors burst into derisive shouts of laughter at the sally, which brought Alderman Bamberger to an abrupt halt, gasping and dumbfounded.

The heads of Departments, however, did not completely ignore Alderman Bamberger, and some small quota of the patronage which was then the perquisite of Aldermen, was allotted to him. Even in the "handling" of this simple matter he was a failure. It was, perhaps, no fault

of his that he was not educated up to the times, but he had certainly a very dim knowledge of what "patronage" meant in those days. It is no slander of him to say that in this particular he was absolutely crude, or exceptionally innocent, just as you may wish to view it. He had, to be sure, a general knowledge that large sums were appropriated for public improvements, but he had never considered analytically or minutely how they were expended. He had not yet been sufficiently on the "inside" to know that many thousands of persons were drawing stipends for which they did no work.

The first bit of patronage he procured was an Inspectorship in the Bureau of Street Cleaning, then under the control of the Police Department, and this position Alderman Bamberger hastened to bestow upon a faithful adherent, Jacob Switzer, whose regular trade was that of barber, but who had recently failed in business. While Switzer had some skill in giving a "close shave," he had little idea of "close" business in politics. The Inspectorship brought him four dollars a day, and Switzer was a proud man. He felt within himself that, as he had worked hard for the Democratic party—which, in his eyes, was personified in Bamberger—Republics, after all, were not ungrateful, and he was determined that, however he might have neglected his business as a tonsorial artist, he would give loyal and faithful service to the City which had so generously employed him. But, while willing to work, he had received no instructions as to the line of his duty, nor was he told in what part of the City he should exercise his official functions. Nor was Alderman Bamberger, who handed him the appointment in person, able to give him the necessary information. Switzer was a man of some thought, so he studied the question himself, and finally concluded that an Inspectorship in the Street Cleaning Bureau must necessarily involve an inspection of the public streets, with reports

from time to time, at headquarters, concerning any incumbrances or nuisances which impeded travel or were offensive to the citizens.

With a simplicity which is entirely to his credit, he supposed he had actually to do some work for the compensation he received, and never for a moment dreamed that he was enjoying an absolute sinecure. Accordingly, he set out on his travels in the performance of his supposed duty. In those days, a street inspector had not to travel far before he met objects deserving his official disapproval. Switzer made this discovery, perhaps, sooner than usual. Things which during a long residence in the neighborhood he had never much noticed before, now, under the stimulus of official responsibility, caught his eye and arrested his attention. As it was in his own neighborhood, and on the principle that "charity begins at home," he was determined that his first official act should be directed to the removal of an unsightly heap of malodorous filth which, for many weeks, had been reposing without interference on First avenue, near Tenth street. Other streets in his Ward were similarly afflicted, but, with the spirit of home-rule burning within him, he decided to address himself first to this particular heap. Next day he took to the Chief Clerk of the Street Cleaning Bureau a written report, in which, among other things, he stated that "there is a big heap of rubbish and dirt in First avenue near Tenth street. It should be removed."

"All right," said the Chief Clerk.

Switzer waited for four days, and again reported to the Chief Clerk—"That heap of rubbish and dirt on First avenue is still there."

"All right," said the Chief Clerk.

Five days elapsed, and Switzer, feeling that his official authority had not been properly respected, reported in more vigorous language: "That heap of rubbish and

dirt on First avenue is still there. I have it reported already twice, but it still stays there, and what is worse, it grows bigger at both ends and the middle."

The Chief Clerk read the report and, looking solemnly at Switzer, said: "See here, you don't know nothing! Will you ever drop on yourself? You're a bigger nuisance to this Bureau than the rubbish. Your wind is cut by order of the Superintendent. See?"

"My vind cut—what you mean?" asked Switzer in surprise.

"You're discharged. That's the meaning," curtly replied the Chief Clerk.

Now, this summary discharge of Switzer for no cause whatever, or rather for a cause which, to the unsophisticated mind, ought to have commended him, was strictly in line with the policy and practice governing this particular branch of the public service—and, indeed, most other branches of it as well. In fact, under the arrangements for the expenditure of funds at the disposal of the officials, there was no other course open to them but to order Switzer's discharge, for he was not only annoying the Bureau, but he was seriously embarrassing it. You may naturally inquire how? The explanation is simplicity itself. The Board of Estimate and Apportionment, in December of each year, allowed a specified sum in bulk for cleaning the streets of the City, which sum could not be increased, under the law, during that year. Now, there were so many persons of political importance looking after this fund, for the purpose of getting what was termed a "rake" out of it, that it is plain, if all the streets were cleaned, it would have so reduced the fund that this "business" arrangement could not be carried out. On the other hand, it needs no profound knowledge of finance to conclude that if a number of persons divide among themselves any considerable portion of the sum originally ap-

propriated for cleaning all the streets, by no ingenuity or financial jugglery could all the streets be cleaned. It is obvious, therefore, that if all the streets were to be cleaned, a great injustice would necessarily have to be done to those "tried and trusty" veterans of the party, who were to share in what was known as the "divvy." From this point of view, it was evidently impossible to remove from First avenue the heap of dirt complained of by Switzer; for, if this were done, ten to one Switzer, thus encouraged, would have gone on reporting the existence of numerous other accumulations of dirt, until such a bad example was set to the other inspectors as would bring inevitable embarrassment and financial injury to those who had a sinecure "interest" in the Bureau.

Besides, considering the location of the nuisance in question, the urgency of Switzer was absurd. Up to the time of this unhappy episode, no one had ever heard of the streets in that neighborhood being cleaned more than once a month; hence, to carry out a practice such as was indicated by the zeal of Switzer, was something that the residents in that section never expected.

Taking these views of his conduct, it is therefore plain that Switzer fairly earned his discharge.

LETTER XXIV.

"IRREPRESSIBLE CONFLICT" BETWEEN TWO RACES—TOO MUCH OFFICIAL RECOGNITION OF ST. PATRICK'S DAY BREEDS TROUBLE—MAYOR HALL REVIEWS A PARADE IN THE REGALIA OF AN IRISH PRINCE—ANGER OF THE GERMAN PRESS AND INDIGNATION OF GERMAN CLUBS—POLITICAL AVALANCHE WHICH MADE A BAKER STATE SENATOR IN SPITE OF HIMSELF.

MY DEAR DEAN:

The "irrepressible conflict," referred to in my last letter, between the German and Irish elements in New York for ascendancy in the Democratic politics of the City, was conducted in a manner not always observable on the surface, but was, nevertheless, making considerable headway in favor of German recognition in certain of the East-side districts.

This condition was, to a large degree, stimulated by the behavior of the Irish themselves. As English politicians have always alleged that the Irish in Ireland were unfit for self-government, so the Irish-American politicians of that era asserted that the Germans in New York were unfit for public office. The spirit of exclusion in both cases had its origin from exactly the same cause, namely, the desire of those in possession to keep all the good things to themselves. Besides, the methods adopted by the exclusionists were the same, viz. to heap ridicule on those who were seeking recognition. There is no stronger moral force than ridicule in certain cases; but it has its limits. If carried too far, it defeats the very purpose of its application. Whether it was in pursuance of a deliberate plan, or was a mere manifestation of natural jocularity, I am not able to determine; but, from whatever cause, certain it is that the

German's political aspirations were made the subject of many practical jokes at the hands of the Irish. I well remember the case of poor Beedleburger, an honest, harmless and credulous German, who kept a lager beer saloon in Second avenue, not far from Fifth street. Perhaps the last man in the world to aspire for public office was Beedleburger, if let alone. He had a very limited knowledge of English, and never attempted to converse in that language unless compelled to do so by the lack of knowledge of his own tongue on the part of his customers. Whenever he did converse in English, his words came forth slowly and with the utmost caution, while his countenance assumed a curiously suspicious aspect. He dreaded to have his pronunciation and use of English words made the subject of ridicule by the young bloods who occasionally drank his beer. This peculiarity gave rise to much merriment, and his style of utterance was mimicked in the political club which had its headquarters in the immediate neighborhood, until the name of Beedleburger became well-known among the noisy coterie who followed the banner of Tammany Hall. As the time of nominating candidates drew near, in the Fall, some one suggested jocosely, at the Club, that Beedleburger be nominated for Alderman. The proposition evoked great merriment, and several comical recitations of imaginary speeches were delivered in broken, or rather in "Beedleburger" English, which were to electrify the Board of Aldermen.

After various suggestions it was determined that, without further delay, posters should be printed, and put upon the dead walls and fences in the neighborhood, announcing his candidacy, and that on the following day a delegation should wait upon him, and with mock formality inform him that his nomination and election for Alderman were desired by a large portion of the citizens of the district, and that, moreover, he was the unanimous choice of the Owl Club;

for such was the name of the club referred to—derived, no doubt, from the midnight orgies of its members.

Knowing the skeptical nature of Beedleburger, the "delegation" drummed into service one Jacob Schneider, who was a "runner" for one of the City Marshals attached to the local Court, and who was anxious to curry favor with the members of the Owl Club, through whose influence he hoped some day to obtain a place in the public service. Thus equipped for carrying out the joke, the delegation waited upon the proposed candidate.

Taken by surprise at the proposition, Beedleburger at first hesitated between doubt and ambition, but, after some time, through the diplomacy of Schneider, in whom he had great confidence, he retired for consultation with his wife. It is a noticeable fact that women are always the first to succumb to the anticipated glamor of political honors. She not only consented to the proposition, but she expressed surprise that a man like her husband had not been sought out for such a distinction long before. When Beedleburger returned to the saloon his face was wreathed in smiles. As a matter of course "he set them up," again and again; that is to say, he treated several times, (up to this event he had never been known to treat,) and after many assurances that he was "the next Alderman" the committee withdrew.

Any excitement, be it serious or jocose, which breaks the monotony of everyday life, is liable to become contagious. Successful beyond their expectations, the conspirators grew buoyant and exuberant at the prospect of the fun ahead. They found many recruits, who added ardor as well as numbers to the movement, until toward night the entire neighborhood was alive with enthusiasm for Beedleburger. They procured numerous persons all day long to wait upon and congratulate the candidate and give him assurance of his triumphant election. Not content with this, the

spirit of fun spread in other directions. The posters, announcing in huge letters his candidacy, were conspicuous on the dead walls and fences as well as in bar-rooms and saloons in the neighborhood. The posters read as follows:

BEEDLEBURGER FOR ALDERMAN.

THE PEOPLE'S CHOICE.

THE FRIEND OF THE WORKINGMAN!

GIVES A LARGE SCHOONER OF BEER AND FREE LUNCH OF BREAD AND BOLOGNA!

ALL HANDS FALL OUT AND VOTE FOR BEEDLEBURGER!

Nor did this inspiring and patriotic appeal satisfy the enthusiasts. They concocted other plans for the canvass. When night came on, they hired what is known as a "gutter band," composed of four instruments of discordant and dyspeptic tones, and, with a few lighted torches, formed a parade along the street, passing and repassing in front of his saloon, and shouting "Three cheers for Beedleburger!" "Beedleburger is the man!" and similar complimentary outbursts. It is not to be wondered at that such apparent enthusiasm woke up whatever there was of emotion in the soul of Beedleburger, who was so moved that he actually opened two kegs of beer and invited the surging and hilarious multitude to accept his hospitality. More than this, still later in the night he forwarded another keg of beer to the Owl Club, with "Compliments of Herman Beedleburger," written in English by his treacherous friend, Schneider.

It was great fun, but it had its reaction; for, when Michael

Hogan was nominated for Alderman the following evening, and especially when Beedleburger discovered that he had been made the victim of a practical joke, his indignation and that of his German friends knew no bounds. They refused to vote for Hogan under any circumstances; but that mattered little, in a strongly Democratic district. The joke, however, combined with other circumstances, subsequently exercised considerable influence in shaping the future of the Germans in the politics of that part of the city.

Besides the uneven distribution of power and patronage in favor of the Irish, there were other circumstances, of a more superficial character, which created still further jealousy on the part of the Germans. Most conspicuous of these, perhaps, was the annual parade on St. Patrick's Day. It is only fair to say that the Germans took no exception to the demonstration itself, or to the right of the Irish to turn out in honor of their great patron Saint. The Germans had their own distinctive parades during the year. To be sure, their parades were not in honor of any great Saint, nor, indeed, of any saint at all, but only to celebrate mere mundane things, such as "Pfingsten," "Volksfest," "Schützenfest," and so forth, when they marched to the places of entertainment, in semi-military style, certain cohorts of them carrying arms and equipments, and stepping, as best they could, to the strains of martial music. So that they could not be so unreasonable as to object to St. Patrick's Day Parade merely as a parade.

Nevertheless, they had cause for being aggrieved. When they paraded, there were no flags flying from our municipal buildings. The Stars and Stripes were not floating in exultant glory from the flagstaff of the City Hall. No Mayor or civic authorities assembled in state to review them as they passed by. Not so with the Irish parade. At the time I speak of, and, indeed, to a great extent yet, on such

occasions, the whole political firmament was profoundly agitated. There was not a politician in the city, nor a man who aspired to be a politician, who was not on the *qui vive;* who did not dress himself in his best garments; who did not wear a high silk hat; who did not put a sprig of shamrock, if he could get it, or a green ribbon if he could not, in the lapel of his coat, to mark his reverence of the day and his burning ardor for the cause of Erin.

St. Patrick's Day of the year 1870 was a memorable one. A. Oakey Hall was Mayor of the City; Richard B. Connolly, (familiarly known as "Slippery Dick," for reasons which will appear when I come to a discussion of the Ring,) was Comptroller of the City, and was also the "Grand Council" of the St. Patrick's Mutual Alliance which had been organized by him for his special benefit, or, more properly speaking, for his protection against the growing despotism of Tweed; Peter B. Sweeny was City Chamberlain; Richard O'Gorman was Corporation Counsel; Thomas Coman was President of the Board of Aldermen. All the Irish societies of the city, under the command of a chosen Marshal, who rode a horse gorgeously caparisoned, assembled at different points and ultimately made one vast army, forty thousand strong, headed, first by a platoon of police on horseback, next by a platoon of police on foot, led by the Superintendent of Police. A delegation of the second order of political grandees followed in open landaus, nodding and smiling on all sides to the applauding multitudes, who lined the streets, while the air was filled with music by the numerous bands, leading the several divisions and brigades of the vast army.

The line of march, as a matter of course, passed by the City Hall, and it was here that it received, during the five hours of its passing, the greatest ovation. On an elevated platform erected in front of the City Hall, stood Mayor A. Oakey Hall (supported by the Aldermen and other digni-

taries of the City) in the supposed regalia of an Irish Prince. It was not enough for him to put a shamrock on the lapel of his coat. This would have been too tame to represent the enthusiasm for Ireland which filled his bosom. So, to adequately typify his consuming love for the "Exiles of Erin," he wore a coat of green material and a flourishing cravat of the same inspiring color.

As I stood among the crowd in front of the City Hall that day, I heard many comments on the magnificent physical appearance of the men in line. Broad-shouldered, muscular, buoyant, orderly and disciplined, they marched in double ranks of twenty a-breast. In the midst of the acclamations which greeted them, I heard a man of genteel appearance and manners express his surprise at their large numbers, and I said to him, "Are you an Irishman, sir?"

"No," he answered, with a merry twinkle in his eye; "I wish to Heaven I was. I am only an American!"

The day, although threatening a storm (it generally rains in New York on St. Patrick's Day) held up until the parade, which continued until nightfall, was ended, when a drenching rain drove the people off the streets into saloons and hotel cafés. Had the spirit of Thomas Campbell revisited earth that day and been able to see his "Poor Exile of Erin" at the Astor House and at the St. Nicholas Hotel, drinking champagne at four dollars a bottle, he would have been obliged to confess that, although the Irishman had left his native land, "a home and a country remained" for him in New York.

Indulging in some merriment over this aspect of Irishmen's altered condition, a versifier, who happened to be in my company on the evening in question, tossed off these impromptu lines:—

"God help the poor Exiles in Ireland,
As they sit by the wild ocean's foam,
For 'tis they that are Exiles entirely,
While we are here more than at home!"

About one thousand prominent citizens sat down that evening to a banquet at Delmonico's, one of the most fashionable hotels in the city, as guests of the Friendly Sons of St. Patrick; and about the same number at another fashionable hotel, under the auspices of the Knights of St. Patrick. As before stated, although the day was fine, the night was stormy. While we partook of the dinner of the Friendly Sons, it was observed that one seat, immediately at the right hand of the chairman, was vacant. Who was to fill it? Towards the end of the courses, there came toward this seat the great orator of the evening, and perhaps as charming a speaker as has lived in any age—the Irish Patriot, Richard O'Gorman. He bowed graciously to the greetings accorded him, and took the vacant chair. As he rose to speak, he presented a dignified and aristocratic appearance, tall, graceful and handsome. His range of thought and elegance of diction, combined with an extremely musical voice, enchained his hearers in a way that I have never seen equalled, before or since. His first words were: "The stormy month of March was gentle with us Irishmen to-day, while we paraded the streets and avenues of this great city, until we have met here this evening when" (taking a bottle of champagne in his hand and holding it aloft) "we can make fair weather for ourselves within."

The apparent honor—almost homage—paid to the Irish element by those who were in control of the municipal government, and by the politicians of the City generally, had the effect of stimulating the German Clubs into greater activity and determination. The German Press of New York also took a hand in the matter, and urged unity and consolidation in their ranks, predicting that the "Reign of Terror," as the rule under Tweed was sometimes called, would soon come to an end. When the disclosures of the enormous peculations of the "Ring," in 1871, burst upon the community, the German Press, especially that part of it which

had had no share of the Corporation advertising, was particularly bitter in its denunciation of the malefactors, and a large number of the intelligent German element became active in organizing the political movement for the overthrow of the existing dynasty.

In the strong German settlements, however, the simple-minded German had but little knowledge of the political upheaval which was taking place, and could yet see no prospects of political preferment for himself. The Committee of Seventy, organized for the purposes of municipal reform, shrewdly recognized the Germans in nominations for public office, but so little skilled in the art of local politics was the ordinary German of that day, that he was doubtful and uncertain whenever a nomination was tendered to him.

A curious instance of this want of faith in the sincerity of politicians occurred in the "avalanche," as the Fall election of 1871 was styled. Not far from the saloon of the unfortunate Beedleburger, lived and prospered one Augustus Bader, a German, who was a well-known baker of that locality. Bader was a man of strict business habits, and was held among his own people to be a person of considerable importance in a business point of view. Besides, he had endeared himself to many by generous contributions of bread from his bakery to the poor. The Germans who were co-operating with the Committee of Seventy presented the name of Bader as the nominee for State Senator against the Tammany Hall candidate. He was readily accepted, as the fittest person to consolidate the German vote of the district. He was accordingly nominated, a committee was named to notify him, and the convention adjourned *sine die*. Here the difficulty began. When the committee, composed of three most respectable gentlemen, waited upon Bader, about nine o'clock that evening, they found him in his little baker's shop, in his shirt sleeves, wearing a white apron, and attending to his customers. He could speak the Eng-

LETTER XXV.

EXCITING LEGISLATIVE EPISODE SHOWING THE DISADVANTAGE OF TOO SMALL A MAJORITY—HOW AN ILL-TEMPERED BULLY DISORGANIZED LEGISLATIVE BUSINESS—A BLOW WHICH DISSIPATED DEMOCRATIC SUPREMACY AND PRODUCED CHAOS—RESOLVE OF THE REPUBLICANS TO "BOSS THE RANCH OR BLOCK THE GAME"—HOW THE GORDIAN KNOT WAS CUT—RUIN WHICH FOLLOWED THE MAN WHO CUT IT.

MY DEAR DEAN:

One of the most exciting sessions of the Legislature on record was that of the year 1871. The returns of the canvass of 1870 showed that sixty-five Democrats and sixty-three Republicans had been elected to the Assembly, but the contest in one of the New York districts, represented by Charles Crary, Democrat, was so close that H. McK. Twombley, Republican, presented a claim to his seat in the Assembly, and a somewhat protracted investigation was had. The Committee decided in favor of the sitting member, Mr. Crary; and thus the Democrats had a majority of two—very close, but just enough to pass a bill, sixty-five votes being the constitutional number. Of course this majority, small as it was, sufficed to give the Democrats the organization of the House; so William Hitchman was again seated in the Speaker's chair, and John C. Jacobs, as chairman of the Committee on Ways and Means, was the recognized leader on the floor of the House. The closeness of the vote, and the liability of party questions coming unexpectedly to the front, made every member on the Democratic side very punctual in his attendance and attentive to his duties. Legislative business, as a result, was rapidly advanced; and it was deter-

mined by the Boss to make the session of 1871, if possible, the shortest on record. And so it probably would have been, but for an unforeseen occurrence which caused great trouble and, as an incident thereto, great scandal.

On the evening of the seventh of April, the peace of the Assembly was broken by an exhibition of brutality without precedent in the history of the New York Legislature. A bill to repeal the law and annul the contract by which the Albany and Susquehanna Railroad was leased to the Delaware and Hudson Canal Company, after having once received the condemnation of the Assembly, had been again brought to the surface by the chairman of the Railroad Committee, John L. Flagg, of Rensselaer county, who asked for a suspension of the rules, in order that he might introduce a resolution that the Railroad Committee be discharged from the further consideration of the bill, and that the same be ordered to a third reading. While Mr. Flagg was endeavoring to influence the House by a special plea that the bill was one altogether in the interest of the people and ought to receive legislative approval, Smith M. Weed, of Clinton county, entered the Assembly chamber, and, having ascertained the object of the resolution, proceeded to the Clerk's desk to scrutinize the tally of "yeas" and "nays." While there, James Irving, of New York city, also a member of the Railroad Committee, presuming that Mr. Weed was about to take an aggressive stand against the bill, applied some abusive epithets to him, and finally gave him a push. Mr. Weed, in an indignant manner, told him to go away—that he wanted nothing to do with him; whereupon Irving attempted to strike him. Both men then rushed into the Clerk's room, in the rear of the Speaker's desk, where Irving struck Weed a powerful blow in the face, inflicting an ugly gash under his eye, knocked his head against the door-post, and would doubtless have inflicted other injuries upon Mr. Weed, had he not

been restrained by those who surrounded him. Irving was a man of extraordinary physical power, and considered himself a match for almost any fighting man in the country. Weed, a lawyer by profession, and peaceful in disposition, made no pretensions to muscular development, and had sought to avoid a collision with Irving.

As may be imagined, the House was profoundly excited over this occurrence, and a committee was at once appointed to investigate the circumstances of the case, and recommend such action as in their opinion might be considered necessary. The members of the House, indignant at the unwarranted conduct of Mr. Irving, could hardly restrain their desire to expel him at once; but cooler heads requested that all further action should await the report of the Special Committee. Seeing the demand for Irving's expulsion so overwhelmingly strong, Tweed, notwithstanding he knew Irving's retirement would leave all pending New York legislation in a perilous position—for the Democrats unaided would be powerless to pass a bill—persuaded Irving to resign his seat in the House, which action Irving accompanied with the following letter:

To the Honorable The Speaker of the Assembly:

SIR:—There is no man who thinks on his past life, but calls to mind words that he would wish unspoken, and things done that he would wish undone. We have all much to regret and much to forgive. For my share in the unhappy occurrence of last Friday evening, which occupies the attention of the House, I am sincerely sorry. If, in the heat of anger, and under the spur of what seemed to me great provocation, I have committed an act violating the proprieties of the House and offensive to its dignity, I desire to offer an humble apology. I yield to no man in respect for this House. I have been for six years a member of it; I am, I think, at present, the oldest member; and, although Providence did not bless my early career with that culture which graces so many other gentlemen of the House, yet I have enjoyed the friendship of many members, and until recently the kindly acquaintance of them all. I do not seek to mitigate any proper censure that may be due to me, or to defend an act which I know was in violation of the decorum necessary in all legislative bodies: yet I think it

due to myself to say that the unfortunate altercation between the member from Clinton county and myself would never have occurred, had not his conduct toward me on that occasion, and for some time past, satisfied me of the existence of a settled desire on his part to irritate and insult me. I distinctly state that I was struck by the member from Clinton before I raised my hand against him.

In conclusion, I thank the House with all my heart for the kindness with which I have been treated by it, and with no less earnestness and sincerity renew the assurance of my deep regret that any act of mine should have diminished that feeling or changed the relations we have borne toward each other.

Respectfully,

JAMES IRVING.

Notwithstanding the receipt of this letter, the Special Committee was instructed by the House to continue the investigation ordered; and the House determined that no other business should be transacted until the Committee reported. On April 11, the report was submitted, stating that the case had received full investigation, and concluding as follows:

"Mr. Irving having resigned his seat as a member of Assembly from the Fifteenth district of the county of New York, and no one having appeared against Mr. Weed, your Committee feel that they have discharged their duty, in reporting the testimony taken before the Committee to the House, which report they have accompanied with the following resolution:

"*Resolved*, That in the judgment of this House, the conduct of Mr. Irving, late a member thereof, from the Fifteenth Assembly District in the county of New York, during its session of Friday, April 7, 1871, was a high breach of its privileges and the rights of its members; and if he, Mr. Irving, had remained a member of this House, he would have deserved the severest punishment in its power to inflict."

This report was adopted by a unanimous vote of the House; and so ended the Irving episode.

The Democracy were now, of course, powerless to pass a bill, having only sixty-four votes, and at least four or five important New York measures yet remained to be acted on, including the City Tax Levy; which measures the Radical press claimed to be of "a political character," and called

upon the Republican members to unitedly oppose. "We can promise," said the Radical organ, at Albany, "any Republican who dares to place himself in opposition to his party, and in alliance with the Tammany Ring, such richness of infamy as will make for him further political life in New York State impossible." "From this hour," wrote Horace Greeley, in the *Tribune*, "until the adjournment of the Legislature, Republicans expect every representative they have in Albany to be at his post, sick or well, and to vote in unison with his party. Watch the man who on any excuse whatever votes with the Democrats, or fails to vote."

In consequence of this attitude of the Republicans the Democratic camp was in a state of demoralization, and the situation was indeed embarrassing. There seemed to be only one way out, and that was to win over in some way one Republican, who could muster enough courage to face the scorn of his party leaders and party organs, defy their commands, and record his vote for the bills, "so necessary," as was claimed by the Democrats, "for the proper government of the metropolis."

Then the air became rife with stories that Tweed had determined to employ the lobby to remove "existing obstructions." It was rumored that as high as from twenty-five to fifty thousand dollars had been suggested as the price that would be willingly paid for the service of a single additional vote on the Democratic side "for the remainder of the session."

The Republican leaders then became alarmed and called a caucus of Senators and Assemblymen, and the deputy Bosses of the party (for Bosses are not confined to the Democracy) were summoned from all parts of the State. At this caucus it was decided that no Republican could, consistently with his party obligations, support the New York bills, known as the "Registry" bill, the "Election"

bill, the "Two Per Cent." bill, or the bill to "Amend the Charter of the City of New York," then pending in the Legislature; and the following resolution was adopted:

"*Resolved*, That in case any member of the party shall desert it, in acting upon the measures above referred to, we will regard it as our duty to denounce such deserter as a traitor to the party, in a writing to be signed by us, and published in the Republican papers of this State.

"We the undersigned do hereby agree to abide by the foregoing resolution, and do hereby pledge ourselves solemnly, as members of the Republican party, to support the same."

This resolution and agreement, approved in caucus, signed by every Republican member of the Legislature, were published at once in the Republican newspapers of the State.

Then the Democrats "got their backs up." In the Assembly, Thomas C. Fields, of New York city, made a terrific denunciation of this attempt of the Republicans to block legislation in the State, and declared that the only recourse left the Democracy was to retaliate, and, until the vacancy caused by the resignation of Mr. Irving was filled by a special election, to transact no business in the House; and on his motion the House immediately adjourned. When the Senate assembled, it went into Committee of the Whole on the pending Canal bill. Senator Tweed almost immediately moved that the Committee rise, report progress on the Bill and ask leave to sit again, adding:

"I make this motion for the purpose of following it with another motion, when we get into regular session. I see in the *Evening Journal* newspaper that our friends on the other side have decided that this Legislature shall do no more business until certain matters are fixed to their satisfaction. In view of that decision on their part, we, the Democrats, have made up our minds that, until we know whether legislation is going to be impeded by the united action of the gentlemen on the other side, we do not care to pass this or any other bill. We wish to get together and consult, and ascertain, if possible, what our friends the Republicans mean. They seem to have acted in a way never before seen or heard of in a legislative body. Here are bills pending, involving great responsibilities—bills that it is necessary to pass in some form in order to carry on the government of great cities

in our State; yet, because an exigency has arisen, in consequence of a disgraceful episode in the Assembly Chamber over which we had no control, they get together and sign a paper stating that these bills are political bills, and that they will not even consider them or let them pass. It is in order that the Democrats of the Legislature may reflect and consult calmly upon this unexpected condition of things—in order that they may not be blinded by passion or prejudice, as I fear some of the gentlemen were who signed the *Evening Journal* manifesto—that, when the Committee rises, I shall present my motion for an adjournment of the Senate."

After a few words of explanation from other Senators, the Committee rose, and the Senate adjourned, in accordance with Mr. Tweed's motion.

At the caucus which was held, the Democrats determined to introduce a bill providing for a special election in the Fifteenth Assembly District in the County of New York, to fill the vacancy caused by Mr. Irving's resignation; and should the bill fail to pass, then to vote for a recess of the Legislature for a period of twenty days. In that event, to request the Governor to order a special election to fill such vacancy, and thus restore to the Democrats in the Assembly the voice and power to which they were of right entitled.

In accordance with the recommendation of the caucus, a bill providing for a special election in the Fifteenth Assembly District of New York County was introduced in the House, and "rushed" through all the orders of legislation up to a third reading, at which stage it was declared lost, lacking one of the necessary sixty-five votes. The introducer of the bill, Mr. Frear, of New York, then made the usual effort to save it, by moving to "reconsider the vote by which the bill was lost, and to lay that motion upon the table," which, being carried, the House took a recess till evening, and on assembling in the evening immediately adjourned till the next morning; and similar action was by agreement taken by the Senate.

It was felt by everybody that a crisis had been reached, and that Tweed, who had overcome so many obstacles in

his onward march to supreme power, would not permit himself to be beaten now. He had said, when confronted by the rebellion of the Young Democracy, that he would win "if he had to step over hell to do so;" and it was now confidently believed that he would break the existing "dead-lock;" but, how, when, or through whom, all was conjecture. Rumors had become so numerous, and suspicions so rife, that the Republican leaders determined to call their forces again in caucus, in order to ascertain if the "Destroying Angel" had reappeared in Albany and had been hovering over their camp. At this caucus they hedged a little on their "blocking of legislation" game, and resolved, that, "while adhering firmly to the position we have already taken, we shall oppose any final adjournment of the Legislature till all proper and necessary measures are passed."

Then the chairman of the caucus was authorized to send through the Associated Press an "All is well" midnight dispatch, to assure their brethren in other parts of the State that, as a party, their representatives at Albany were uncorrupted and steadfast. The dispatch, as it appeared in leading Republican organs, read as follows:

"There is no change in the situation. The Republican members are firm and in high spirits. Their organization is stronger than could have been conceived at this time last week. The Democrats are undoubtedly holding off to buy some one, and if they fail in this they will probably give up all the other New York bills, get the best City Tax Levy bill they can, and adjourn as soon as possible. They were much disappointed that they did not pass their Special Election bill this evening, as they had calculated upon the services of a certain Republican member. The Republicans are astonished, under the circumstances, to find themselves so strong; and they deserve credit. There has been a wonderful improvement in the Republican atmosphere. Old members say they have seen nothing like it for many years."

So often had rural Republican legislators fallen victims to the allurements of the Tempter that the "wonderful improvement" referred to in the quoted dispatch, astonished many others beside the Republican leaders; and, true it

was, that old members had "seen nothing like it for many years." It was, nevertheless, also true that more than one pair of eager eyes had been turned toward "forbidden fruit"; but the potential voice of the united Republican press daily sounded in the ears of the "weak and wayward" the certain destruction which would follow the eating of "the apple"; and hence some of their well-guarded flock were kept strong and virtuous "in spite of themselves." Forty or fifty thousand dollars just to vote "aye" on three or four bills was a terrible temptation for poor, weak human nature.

But, notwithstanding the "wonderful improvement in the Republican atmosphere," the "Destroying Angel" had not given up the contest; he was "still doing business at the old stand."

On the third floor of the Delavan House, almost immediately over the apartments occupied by Senator Tweed, roomed a Republican member of Assembly from Chautauqua county. He was a tall, fine-looking man, very gentlemanly in appearance, and altogether one of the most affable as as well as most noticeable members seated in the body to which he was attached. Being of a sociable turn, he had made an appointment to join a party on the floor below, that evening, in a game of cards. Not appearing at the appointed time, one of the party volunteered to go to his room and remind him of his engagement. Knocking at his door, and entering, upon invitation, the gentleman from Chautauqua was discovered seated at a round table playing a game of "solitaire," in which he seemed much absorbed; and in reply to the message of his visitor, he begged to be excused, adding that he "had an engagement to discuss a matter of some importance, and he would have to forego the expected pleasure," etc., etc.

His visitor departed, and the party below went on with their "little game," having no idea of the kind of a game

that was going to be played on the upper floor, about the very time that the assuring and satisfactory dispatch reciting the "wonderful improvement in the Republican atmosphere" was being telegraphed for the benefit of Republican readers throughout the State.

The session of the Assembly, on the morning of the fifteenth of April, was attended as usual by a full House. Every seat was filled except that which had so long been occupied by Mr. Irving. "What's going to be done?" was the inquiry all around. But, as the Republicans had found everything so satisfactory at their caucus the evening before, ex-Governor Alvord, their leader on the floor of the House, was smiling and happy. "Everything's all right," was his genial reply to all interrogatories.

There had been no prayers in the House for several days; sessions had been irregular and the excitement had been too intense. But, this morning, Speaker Hitchman, rapping the assemblage to order, introduced a minister, who made a short prayer which breathed the hope that "peace, love and unity" would thereafter characterize all the proceedings of the House. To which ex-Governor Alvord, the Republican leader, responded: "Amen!"

Mr. Alexander Frear, who was one of Tweed's lieutenants and chairman of the Committee on Cities, as soon as the order of business was called, reported the bill amending the charter of the City of New York; also the New York City Two Per Cent. Tax bill, and asked unanimous consent to go into Committee of the Whole on these bills. Mr. Alvord said he had no desire to prevent action on the bills, but he suggested that they be made the special order for Monday, the 17th inst., and insisted that they should not be advanced to the prejudice of other bills of equal importance to members. He would, therefore, object to granting the consent asked, and would move that the bills be printed and made the special order for Monday evening.

by popular vote, denied representation to a political entity of the State, and committed an assault on the Constitution itself. Theirs, therefore, was a crime more heinous than that of either Tweed or his miserable hireling, and when the Republican leaders inside and outside of the Legislature so virtuously denounced Winans as a traitor, they seemed to forget, in their chagrin, that he was not half as traitorous as they were, because they were traitors to the Constitution.

While, of course, nothing can be said to excuse Tweed, there may be something advanced in extenuation of his act, in view of the high-handed and conscienceless conduct of his Republican confreres, who had voted in caucus, as well as in the Legislature, to deprive a whole community of legal and constitutional rights.

I trust, my dear Dean, that you will not, after perusing this letter, and having read the peculiar methods of legislation which I have chronicled in previous letters, imagine for a moment that such incidents or such practices are common occurences in our State Legislature. On the contrary, never before in the annals of our State, or at least not since the days of Callicot (who once deserted his party to be made Speaker of the House) has such degradation as that evidenced by the unfortunate Winans been known; and rare indeed have been such displays of lobbying as characterized the Erie Railway contest, to which I have alluded. In the popular branch of our Legislature have appeared from time to time some of the very best men this State has produced. Samuel J. Tilden, Horatio Seymour, David B. Hill, Silas Wright, John A. Dix, and Wm. H. Seward, all of whom became Governors of the State, and several of whom filled high positions under the Federal Government, saw service in the Assembly; while Chief Justice Sanford E. Church, Millard Fillmore, (President of the United States), Chauncey M. Depew, (United States Senator,) Henry

C. Murphy, (Minister to the Netherlands,) as well as Secretary of the Treasury Charles J. Folger (previously alluded to) were also graduates of our State Legislature. In the Church, at the Bar, in the Legislature, as well as in every condition of life, there are "black sheep," but they are the exception, not the rule, in our State Capitol. Indeed, in my experience as a Legislator and otherwise, never was a member of either branch of that body suspected of descending from his high estate to that of a creature of the lobby, who was not avoided and despised by all honorable men. Conscientious members always strive to avoid the presence of the professional lobbyists, who have the unblushing impudence to claim as "one of their men," and trade upon the name of, every member with whom they happen to be on speaking terms.

LETTER XXVI.

A Civil Justice in the Halcyon Days of the Ring—The Give-and-Take System of Political Advancement—Success of Cheek and Log-Rolling—How a Sample Civil Justice Opened His Court—Enthusiastic Admirers Profoundly Affected by His Inaugural Speech—Cunning Attempts to Make Political Capital—Deciding a Question of Law by Knock-Down Argument—Futile Effort to Crush a Young Advocate—The Judge on the Bench Offers to Bet on a Sure Thing.

My dear Dean:

Many people living in the City of New York at the present day are often entertained, at select social gatherings, with humorous anecdotes descriptive of the characteristics of Judges who had seats on the Bench, in the lower Courts, in the days of Tweed, and who reached judicial elevation by the one-man power in politics.

It may be naturally asked why persons not qualified by education and training were chosen for these public duties, in view of the fact that the compensation was liberal, being then $6,000 per annum, and when so many lawyers of average ability were ready and anxious to fill these positions, especially as they would not thereby be restricted from practising their profession. It is not easy to understand why the leaders, particularly a leader like Tweed, who, as a rule, was sagacious enough to surround himself with men of standing and ability in choosing the Heads of Departments, should have selected such indifferent material for Judges of these lower Courts. But the explanation is this: the most important source of the Ring's power was in the higher Courts, the Board of Supervisors, the Common Council, the Board

of Audit, the Heads of Departments, and last though not least in the State Legislature. The office of Police Justice was also of considerable political importance, as an aid as well as a menace in the management of primary and general elections; for, by the machinery of the Police Courts, the rough element was kept in line, in a hundred ways, for the organization controlled by the Ring. These Magistrates were appointed by the Mayor, and Tweed always saw to it that serviceable men were chosen.

The position of Civil Justice of a local or district Court, however, was comparatively of minor importance, in a political sense. There was some patronage attached to his Court, such as clerks, stenographer, interpreter and Court officers, and to that extent the office was of more or less consequence. The nominees for these offices were selected generally by the local leaders, who made combinations for other nominations, such as for Representatives in Congress, State Senators, Assemblymen and Aldermen, with other local leaders. The Judicial districts embraced several Wards, so did the Senatorial districts, and so did the Congressional districts; but not all covering the same territory exactly, but for the most part so. It was a system of give and take, among these local leaders. The Boss-in-chief always looked out for the kind of men who were to go to the State Legislature, and when he had his men secured without friction for these positions, it was easy to satisfy him in the local choice for Civil Justice. So that, when some Ward politician got together a number of friends in his favor for Civil Justice, the candidates for the other offices, in order to secure the support of this faction for nomination to the offices they aspired to, were ready to consent to the nomination of the candidate for Civil Justice who had most of the "gang" behind him, without the slightest regard to his qualifications. The "slate" being agreed upon by the local Bosses, there was little danger of

the Boss-in-chief upsetting it on account of a mere Civil Justice, so long as he had his own men for the Senate and Assembly.

In addition to the patronage above referred to, the Civil Justices had a chance to do favors in landlord and tenant proceedings; but the difficulty here was that, if the Judge favored the tenant, the landlord was angry, and vice versa. But as the Judge was well-acquainted within his district, he was able to determine nearly always what was "the right thing to do," in measuring the political effect of his decisions. When the landlord was a politician, or mixed in politics, and the tenant wanted a few days to pay the rent, or to move from the premises, the Justice in such case always left it to the discretion or forbearance, or humanity, or whatever it may be called, of the landlord, as to whether the warrant of dispossess should or should not issue forthwith. If, on the other hand, the landlord was a nobody, and the tenant a person of influence in politics, and especially if he had several votes in his family, then the Judge became extremely humane, and often read a mild lecture to the landlord on the misfortunes of poverty and the virtue of generosity and kindness, and generally induced the landlord to relax his severity and give the tenant another chance to pay, or allow him several days to obtain new quarters.

The difficulty of determining actions for debt between his neighbors was not quite such an easy task. It often happened that disputes arose between the residents of a Judge's district, involving claims for money loaned, for wages, or on accounts for household necessaries, or for material furnished, and a hundred and one things which break personal friendships and bring on legal warfare among neighbors. In many instances, it was not the amount involved that the litigants so much cared about. Many a man had a falling-out with his neighbor, which brought their respective families, including not only their wives and

children, but their relations on both sides into violent antagonism, over an amount which he would not hesitate to spend in a drinking saloon in one night. Thoroughly inflamed towards each other, both factions rushed to Court, with claims and counter-claims. Not only did the litigants and their families attend the trial, but many of the friends and adherents of the contending parties "took a day off" to show their sympathy, and perhaps to prove their "pull" with the Judge. Each of the factions may have worked hard for him during the election, and each may have a strong local following which must be reckoned with in future elections. These are delicate—indeed, I might say perilous,—moments for a Judge whose political necessities require that he should conciliate both sides. Willingly would he pay twice the amount involved, out of his own pocket, to avoid determining which side was right, or, what was more to be dreaded, which side was wrong.

A Judge sometimes, to escape this dilemma, procured a Judge from another district—who was outside the local political influences of the litigants—to sit in his Court and try these troublesome cases, while his own absence was explained by alleged sickness, or absence from the City on business; but this device was easily seen through, and only made him enemies on both sides, (each side being certain it had him,) and after a while, Judges concluded that running away from such cases was "bad politics," and should not be resorted to.

The nomination of Gus Heberman, for Civil Justice of the District Court, was brought about by the log-rolling which I have described above. Heberman, in his early days, was a fishmonger. He had a strong voice and a stronger face. It might be termed a corrugated face. He obtained some education in the public schools, which, to his credit be it said, he made good use of. Residing in the midst of a German district, his aggressive manner and quickness of re-

tort made him known, and to a certain extent feared, among his own people. Again, many of them felt proud of him, because he could hold his own in a discussion with any ordinary politician. In this way, he gradually arose to political prominence. By means of influences mentioned in a previous letter, he became a member of the New York Bar. At the next available opportunity, he pushed ahead boldly and determinedly for the nomination for Civil Justice. When he first proposed it, his hearers listened in silence and smiled. He felt his way with some who were prominent in local politics, throwing out the suggestion that certain friends of his had been mentioning his name for the office, but those he addressed changed the subject of conversation at the first chance. Finding this chilly reception among the politicians, Heberman went to his old companions, and by promises of friendly returns, when it came his way, enlisted them in his cause. It was not long before an organization was formed in his interest. As the time for nomination drew near, he exhibited such strength that it would have been dangerous for other local candidates to oppose him, and by obtaining a promise here and the withdrawal of opposition there, Gus Heberman was nominated for Judge of the —th District Court. Having the Tammany nomination, he was elected—the district being Democratic by a safe majority. No man ever ascended the Judicial Bench with more apparent ease and complacency than Gus. Heberman. He acted as if he were "to the manner born." Had he been a graduate of a University, and a practicing lawyer for a quarter of a century, he could not have assumed the judicial attitude and dignity with more *sang froid.*

The formal opening of Court on the second day of January (New Year's day is kept as a holiday here) was a local event of great importance to the friends and supporters of Heberman. To think that their old chum and fellow

"rounder" should sit with gravity and solemnity on the Bench, as a Judge administering the law, of which he knew so little, and for which he always cared so little, was to keep them in a state of mental balancing between seriousness and merriment. As might be expected, under such circumstances, the Court-room was crowded long before the hour of nine o'clock, when the Judge was expected to assume the functions of his office. At precisely three minutes past nine o'clock, Judge Heberman was struggling up stairs to the Court-room, which was on the second floor of the building. His passage through the throng of people in the corridors and on the stairways was difficult, because the Judge was stout and very wide, and in order to make his way with more effectiveness, he was obliged to turn his body and go sideways, using his left shoulder as a wedge. Then his progress was further interrupted by enthusiastic admirers rushing towards him and shaking his hands, in some instances delaying him just a moment to whisper something important in his ear, to which the Judge invariably nodded, and said "All right." Some ill-mannered persons, possibly to show their own importance, greeted him with "Hullo, Gus," at which familiarity, however, he outwardly took no offense; but his face, grave and flushed, put on no smile in response. As he reached the Court-room, the newly-appointed Court officers, eagerly watching for his arrival, made a violent rush to force a passage-way through the crowd. They regarded neither friend nor foe in the performance of this duty, but shoved the people aside with both hands moving as if they were swimming. At last, the Judge reached the Bench, which he ascended slowly and with great dignity. He surveyed the audience just for a moment, before he took his seat. It was apparent there was something on his mind. His face was very red, perhaps from the exertion of elbowing the crowd, or maybe from the effects of New Year's day; but, while flushed to

a scarlet hue, it looked serious and troubled. After the formal opening of the Court, the Judge took the judicial gavel, and gave three distinct knocks, presumably to call for order; but there was really no necessity for this, for the assemblage was hushed into absolute silence, while witnessing, with intense interest, the Judge's first ascent to the Bench. A moment's pause. Then, doubtless, for the meritorious purpose of making a good impression at the start, the Judge delivered himself of the following inaugural, with impressive dignity:

"In opening this Court, it is my pleasure to greet my friends and to say to them, and to the public at large, that I thank them one and all for their friendship and support in placing me on this high elevation."

He then glanced hastily at a paper before him on the Bench on which his speech was written and proceeded:

"In times of war soldiers dig down deep within or near the camp and construct artisan wells [it was "artesian" wells in the paper] and draw pure water from the bowels of the earth to refresh them, and so I shall dig far and deep, and to the very bottom, in the trials before me and draw forth the hidden waters of truth to refresh the ends of Justice."

After this powerful figure in hydraulics, if not in rhetoric, the Judge, taking another glance at the paper, concluded as follows:

"In the deepest gratitude for your confidence I can only recompense you by promising, which I now do most solemnly, that while I have the honor of occupying this seat of Justice, I shall be neither *partial* nor *impartial*, in the discharge of my duties."

This sapient utterance, delivered in a strong voice, and with almost frowning countenance, had a profound effect upon his hearers, many of whom nodded their heads in approval of the exalted purposes of the new Judge.

One of the weaknesses of Judge Heberman was that he greatly hankered after popularity, and he had, to tell the truth, for some time succeeded in his efforts. But popularity, that bewitching siren, is very fickle.

Now, as a method of obtaining and maintaining his

popularity, the Judge was in the habit, whenever any prominent citizen, who had supported him in the recent election, came into Court, such as a prosperous liquor dealer or the head of some manufacturing concern, of inviting him on the Bench, under the pretence of talking to him on some business, but in reality for the sole purpose of conferring a special honor upon him. Keeping his eyes on the examining counsel or the witness, during the progress of a case, he would lean back in his chair, his left ear inclined toward his guest on the Bench, with whom he occasionally chatted. All this, in addition to honoring the citizen, served the purpose of showing with what perfect ease Gus. Heberman could discharge duties that have made even old lawyers in the same station look anxious and troubled. At first, these honors conferred on influential citizens were appreciated by the recipients. But the Judge, after all, did not understand human nature. For, in the course of time, he had invited so many to participate in this distinction, that those who were first honored naturally regarded such an invitation as no honor at all. Nay, more, the Judge, in his thoughtless selections, invited not only enemies of many of those whom he had thus favored previously, but he extended this extraordinary courtesy to persons who were regarded as disreputable in the community.

The honor, therefore, became greatly cheapened, and the Judge's political standing began to suffer in consequence, although he did not know it. Then those who were first invited, and who really ought to have been grateful, because they had received the distinction when it was of value, began to hint that the whole matter was a device of the Judge to use influential men as playthings in a little political game of his own; so that, towards the end of his term, his scheme, instead of adding to his popularity, resulted in an outspoken hostility which defeated his re-nomination for a second term.

In the early part of his judicial career, on an occasion when some distinguished citizen was by his side upon the Bench, chatting with him, the case of Brown against Lane was called. Lane, the defendant, was a man of considerable influence in the Judge's district, and was besides his personal friend. It can hardly be denied that Lane had spoken to the Judge of the case in advance, because, as soon as the case was called, the Judge excused himself to the distinguished citizen, and sat up erect. He was at once on the *qui vive*. Lane, secure in the Judge's friendship, employed no lawyer. Brown, on the other hand, employed Mr. Henry Johnson, a young fledgling of the law, a near relative, who had been only admitted to the Bar the preceding term. Mr. Johnson was very youthful in appearance and timid of manner. He called Mr. Brown to the witness stand to prove the plaintiff's case. He asked him what his name was, where he resided, and if he were the plaintiff in the case. This went on smoothly; but, on asking the next question, the Judge, looking severely at Mr. Johnson, and extending his hand towards him, said, in a firm tone: "Young man, you can't ask no such question in this Court." Mr. Johnson, greatly disconcerted by the manner and emphasis of the Judge, stopped and gazed for a moment into vacancy, but quickly recovering himself, and concluding that the Judge objected merely to the form of the question, put substantially the same question, but in a modified form; whereupon the Judge, raising his voice louder than before, said: "Young man, I have told you that you can't ask no such question in this Court," which was as much as to say that, in every other Court on earth, it might be right, but not in "this Court." Still, believing that only the form of the question was objected to by the Judge, Mr. Johnson now made a radical alteration in it, and in this new form put the question to the witness. The Judge quickly bent forward, looking severely, and

"Hold on, young man; you can go on and ask the question, but I bet you ten dollars you'll lose your case!" said JUDGE HEBERMANN from the Bench.

said, pointing his forefinger at Mr. Johnson: "How often have I to tell you that you can't ask no such question in this Court?" "Why, your Honor," said Mr. Johnson, "if I can't ask such a question, I can ask no question at all. The question is as to the inception of the claim." Having been roused up, Mr. Johnson, who, notwithstanding his timidity, had latent talents, proceeded with a vigor that astonished his hearers: "How can a case be laid before the Court by a plaintiff," he asked, "if he is not permitted to state the foundation and the nature of the negotiation on which his claim is based?" On, in this line, Mr. Johnson proceeded, during which it was easy to notice that the members of the Bar, who sat in Court, agreed and sympathized with him. This the Judge noticed, too, and as Mr. Johnson went on, now standing erect and thoroughly waked up, the Judge, conscious that his crushing process did not work, shifted uneasily in his seat from side to side, and at last, unable to stand the strain any longer, suddenly darted his right hand towards the lawyer and impulsively blurted out: "Hold on, young man! You can go on and ask the question; but I bet you ten dollars you'll lose your case!"

LETTER XXVII.

THREE VERY REMARKABLE MEN—MIKE WALSH, CAPT. ISAIAH RYNDERS AND COUNT JOANNES—THE SPARTAN BAND AND THE EMPIRE CLUB—MIKE'S ELECTION SQUABBLE WITH JOHN KELLY—HIS ARREST FOR CRIMINAL LIBEL—HOW HE OFFENDED HIS FRIEND BRODERICK BY NOT COMMITTING SUICIDE—CAPT. RYNDERS' DEMOCRATIC SPEECH ON HORSEBACK TO A DEFEATED WHIG NOMINEE—HIS GOODNESS OF HEART AND KINDLY ACT TO ISAAC V. FOWLER, NEW YORK'S DEMOCRATIC POSTMASTER, WHEN IN TROUBLE—COUNT JOANNES, A MAN OF TRIALS—ALWAYS IN HOT WATER.

MY DEAR DEAN:

Having in two or three preceding letters referred to picturesque people of the period of which I write, I may, while the subject is in my mind, also say something of three notable individuals who figured somewhat conspicuously before the public.

Of all the singular and eccentric men who "found a local habitation and a name" in New York, I doubt if there ever was a more peculiar, popular, brilliant, and yet, on the whole, a more impracticable creature than Michael Walsh, who always, however, signed his name "Mike" Walsh. An obituary of him contains these words: "Nobody exactly understood him; he did not understand himself. Spite of his undeniable ability, nobody highly respected him; and, spite of his many errors, everybody liked him."

Mike Walsh was born at Youghal, Ireland, on March 7, 1810, and was brought, when about two years old, to Baltimore, Maryland, by his father, who was a graduate of Trinity College, Dublin. Mike early developed a great fondness for books, and was a thoroughly well-educated

man; yet he seemed to have a fondness for and talked slang like any tramp who had graduated in the gutter. But, then, Mike's slang was striking and original—such slang or argot as Victor Hugo would have liked. Mike Walsh is credited with the introduction of the expression "too thin," which has since passed into common use, and also with the parentage of "everything is lovely and the goose hangs high." And he was the originator of more practical jokes than any other man of his time. Indeed, Mike was always ready for a joke, no matter what the occasion. He didn't like "frills" in anybody, and always tried to take the starch out of any airy chap; and he generally succeeded in so doing. Once a man he didn't like, an ex-hotel proprietor, went into politics and got a nomination for office; and he rose to make his maiden speech a few nights afterwards. For some reason or other, the ex-hotel proprietor wanted to ignore the fact that he ever kept a tavern, and desired to figure as a born statesman. Mike had been advised of the man's pomposity, and he determined to raise a laugh on him, at the first opportunity. So he got as near as possible to the ex-hotel man, when the latter rose to make his speech, and pretended to be listening to it intently. But, at every pause in the speech, Mike would call out, in his deep bass voice, loud enough to be heard by all around him, the ex hotel man included, "John, a pitcher of ice-water to No. 25," or "Richard, answer the bell of the gentleman in 129," or something of that kind, connected with hotel routine, completely taking the starch out of the speaker, keeping the audience in a titter, and bringing the speech to an untimely end.

During his career, Mike Walsh was pitted for awhile against another odd character, Capt. Isaiah Rynders. Walsh and Rynders were very different men—Rynders being as practical and persistent as Walsh was the reverse; but both of them were alike eager for political notoriety.

So, when Rynders had got his Empire Club started in the metropolis, Walsh, not to be outdone, started his Spartan Band. Of all names that Mike could have chosen for his "band" or club, "Spartan" was about the furthest removed from its real character. Mike himself was just the opposite of a Spartan. He liked his ease, and liked his creature comforts; did not like hardship or sacrifice at all; and most of his Spartans were just like him. It was the greatest lot of Spartans ever got together. Most of them were Irish Spartans, with French names, and hailing from the East side of the city. Still this highly miscellaneous and erratic Spartan Band was quite a power in local politics for several years, though in influence it never equalled that of its rival, the Empire Club.

Mike Walsh was also an antagonist, and a formidable one, of John Kelly, whose pull in New York politics was, at the time referred to, not nearly so strong as that of Mike Walsh; and had the latter taken any sort of care of himself, he might have become much more prominent, as a political leader. As it was, he once came within an ace of beating John Kelly in an election for Representative in Congress from New York City. The "Soft Shells," as they were styled, nominated Walsh, and the "Hard Shells" nominated Kelly. The contest was very bitter and very close, and finally Kelly came out ahead by only eighteen votes. There were charges that, owing to certain "irregularities" in the Fourteenth Ward, John Kelly's votes were unlawfully increased; and Mike Walsh began to institute the necessary proceedings to contest the seat of Kelly. But, at this stage of the game, Kelly turned the tables on Walsh, procuring a statement from a man named Griffin that neither Mike Walsh nor his father was born in the United States, and that neither had taken out the necessary papers to become citizens. Whether the charge was true or false, Kelly's threat to use this Griffin paper seemed

to have stopped all further proceedings on the part of Walsh, who had previously served two years as Representative in Congress, and was in such high favor at Washington as to be chosen by Secretary of State Marcy as confidential agent to England and Mexico.

Mike Walsh also figured for a while as an editor, having had some experience in a printing-office, and ran a weekly paper called "The Subterranean." Like Mike's own talk, his paper was erratic, sensational and the terror of political charlatans. As long as he confined himself to "speckled politicians," he got along all right, for he was a keen satirist, and generally hit his mark; but, after a while, he made the mistake of "pitching into" private individuals, and was arrested for criminal libel, found guilty, and sent to the Penitentiary on Blackwell's Island. In this emergency, Mike's friends rallied around him; among others, David C. Broderick, then a rising New York politician, who looked upon Mike Walsh as the victim of a conspiracy, and who went so far as to try and induce Walsh to make a first-class martyr of himself.

Broderick, after the sentence to the Penitentiary, had a private interview with Mike, and urged him to commit suicide, and thus show the world that "he preferred death to disgrace," and all that. He tried to induce Mike to prove himself a worthy leader of a Spartan Band. But Mike did not embrace the opportunity. He preferred life—even life on the "Island"—to death, and determined to remain in the world, and bear its ills, rather than fly to others he knew not of. But, to please his friend Broderick, he did promise to throw himself into the waters of the East River, on the way over to the Penitentiary; and as they parted, Mike Walsh bade Dave Broderick a long and last adieu.

"Hero! patriot! martyr! farewell forever," said Broderick, then in the enthusiastic stage of his political career,

as he wrung Mike's hand fervently. "I will remain behind to see that posterity does you justice."

Mike Walsh, in his heart, resolved to "remain behind" also, in order to assist in doing justice to himself, but held his peace. Broderick, however, went away and told his friends that Mike had "lived a patriot and would die a martyr," and solemnly assured them that the big-hearted, high-spirited Walsh would never be able to endure the degrading punishment to which he had been so unjustly condemned, to the eternal disgrace of New York. Then Broderick would look "unutterable things" and darkly hint at the impending calamity. But no catastrophe took place. It is true that Walsh jumped off the ferry-boat which was taking him to the "Island;" but he jumped off trying to escape, and was only too glad to be saved from drowning, and brought to life and the Penitentiary. There was nothing of the hero, the patriot, the martyr, or the Spartan about all this, and Broderick was disgusted. From the time Mike Walsh left the Penitentiary, after serving his term, to the day of his death, Dave C. Broderick never forgave his once associate and idol for so deceiving him. And yet Mike's only offense was that he had not killed himself to please a friend.

If Mike Walsh had only made some practical use of the life he refused to take! But he did not. George Steers, the great ship-builder, took a fancy to him—probably because Mike was in every respect the precise opposite of himself—and gave him a splendid chance to get rich, while benefiting his country and serving his employer. Steers, who had won renown as the builder of the fast sailing winner of the International yacht race, the "America," was then trying to get a big contract from the Russian officials to build fast ships for their navy; and he conceived the idea that Mike Walsh was the very man to go abroad as his agent, and "talk him up" to the Russian government; for

Mike was a good talker, had before been on diplomatic missions, and was very impressive in his conversation. So he gave Walsh ample money, and procured for him letters from the Secretary of the Navy at Washington and prominent business men in New York, and promised him a liberal percentage, if he got the contract through. Some men would have given ten years of life for Mike Walsh's chance; but, like everything else except his mere animal life, he threw it away. He did not even go to Russia. He simply went on a big drunk all over Europe, and then, having spent all his money, came back to New York as a steerage passenger, broken down in health, a mere wreck of his former self; and one morning he was found dead in the area of a public house he had been visiting the night before. Such was the end of Mike Walsh, who was gifted with the ability to make himself one of the most prominent men of his time; but, lacking self-control, he proved a dead failure. He left behind a volume of his "Speeches, Poems and other Writings."

Captain Isaiah Rynders, as I have before stated, was an entirely different sort of man from Mike Walsh. Besides being level-headed, he was practical, persevering and persistent, and before the era of Bossism, no politician in the metropolis exercised more power, or commanded greater influence. He had one weak spot, if it was a weak spot, and that was his belief that he "had elected James K. Polk to the Presidency of the United States." The way it happened was as follows: In the Democratic National Convention assembled at Baltimore, in 1844, Martin Van Buren of New York was figuring through his friends for the nomination, and was a general favorite with the Northern delegates; while John C. Calhoun was the choice of most of the Southern delegates. Calhoun was too much a pro-slavery man to satisfy the Northerners, and Van Buren was regarded as too much of a "dough-face" to please the

Southerners; but he was so "sly" a man that there was danger of his being nominated on a majority vote, which the Southerners did not want, so they log-rolled a new rule for the government of the Convention—that the nominee "must receive a two-thirds vote." This action, of course, effectually squelched the possibilities of Calhoun, if he had any worth speaking of, but it also positively destroyed the hopes of Van Buren, whose friends, upon discovering that his "cake was all dough," sought to make a nominee of Silas Wright, then a Senator from the State of New York. Morse's electric telegraph was then a new invention, and the people did not seem to place much reliance upon it. It had to be used on this occasion, to ascertain whether Mr. Wright, who was at his home in the interior of this State, would accept the proposed honor; and it was not long before he sent a telegram in reply, forbidding the use of his name in connection with the Presidency. This dispatch and answer were a splendid advertisement for the electric telegraph, and established it on a firm basis with the people. In the midst of the perplexity which prevailed in the Convention regarding the choice of a nominee, Capt. Rynders suggested as a good compromise candidate—as between the North and South—his friend Congressman James K. Polk, of Tennessee, on the ground that because he was comparatively unknown and could not be accused of especially favoring either section of the Union he would make a most available nominee. Besides this, Mr. Polk had just written a letter in favor of the annexation of Texas to the Union, then a very popular demand of the people. The suggestion made by Rynders seemed to take root at once, and upon the re-assembling of the Convention after a recess, during which Mr. Polk was communicated with, that gentleman was nominated for President, with George M. Dallas, of Pennsylvania, for Vice-President.

This incident was the basis of the Captain's boast, to which I have referred; and so proud was he of his achievement that, upon his return to New York, he immediately set to work to establish the Empire Club, and most vigorously and heartily entered into the Polk and Dallas campaign. Funnily enough, it so happened that the very first undertaking of the Empire Club was a dead failure. It was after midnight when the Club was fully organized, and the members in a body started out for "a drink all around," at the expense of its leader, Capt. Rynders. They went to Windust's restaurant and hotel on Park Row, and tried to raid that establishment. But Windust got alarmed at the immense crowd seeking admittance at that late hour, and instructed his attendant to lock the doors. Then the thirsty Empire Club marched up Broadway to Florence's saloon, on the corner of Leonard Street. But the proprietor closed that place too, fearing trouble. So the club was obliged to disperse without a drink—as a club—though no doubt the individual members picked up a "night-cap" or two on their way home.

One of the best speeches Rynders ever made to the Empire Club was on the memorable occasion when he received from a Tennessee politician (who had been elected an honorary member of the Empire Club) a letter accepting the honor conferred upon him, and enclosing a lock of ex-President Andrew Jackson's hair, sent on by the hero of New Orleans. The founder of the club wept with reverential joy, as he exhibited this memento of his political idol. But Rynders' most notable speech was that which he delivered on horseback, one night just after the close of the Polk-Clay campaign. It was at first reported that the Whigs had won and Henry Clay was the victor, and Mr. Frelinghuysen, who was nominated for Vice-President on the Clay ticket was serenaded by the Whigs (as related in another letter). When he made his appearance on the

balcony of his hotel in response to the serenade, and modestly disclaimed all pride or delight in his election, he wound up his speech to the enthusiastic Whigs by declaring that he "would welcome the day when his term of office should expire, and that he would be more glad to get rid of his office then than his friends were glad to bestow it on him now." But, within a day or two, the news came that not Clay, but Polk, and not Frelinghuysen, but Dallas, had been elected. Then Rynders, at the head of the Empire Club, started off to the house of Benjamin F. Butler, a New York lawyer, who had placed Mr. Polk in nomination at the Baltimore Convention, and announced the glad tidings. By a strange coincidence, Butler lived next door to the domicile in which Frelinghuysen was stopping, and so the Whig candidate, who had been congratulated on his success one night, sat at his window, a night or two after, while the crowd celebrated the success of his opponent.

Rynders was mounted on a fine gray horse, which he rode well. Sitting on his horse, right under Butler's window, he addressed that gentleman in his usual blunt, enthusiastic way, congratulating him on the victory of his nominee. During his speech, Frelinghuysen poked his head out to listen—naturally enough—and Rynders caught a glimpse of him. The sight of the defeated Whig candidate gave the Democratic enthusiast a bright idea, which he acted upon with characteristic promptitude. Driving his horse right under the Whig candidate's window, Rynders said, addressing the astonished Frelinghuysen:

"You stated the other night, sir, that you would feel glad when your time came to be relieved of the cares of office. We Democrats have taken you at your word. As a Democrat, I am glad to announce to you that James K. Polk has been elected President, and George M. Dallas Vice President, and that, therefore, you are relieved from all further cares or duty as Vice President." So saying,

Rynders bowed to the chagrined Frelinghuysen, who had not a word to say, while the Empire Club thundered its applause at the cool impudence of "the man on horseback."

Mr. Butler's reply to Rynder's complimentary address to him was as full of buncombe as had been Rynder's address to Butler. "The Empire State has saved the Union," said Mr. Butler, from his window; "the Empire City has saved the Empire State, and the Empire Club has saved the Empire City!" After so much "soft sawder," as Sam Slick would say, it was no wonder that Rynders became more and more impressed with the idea that the credit of discovering and electing James K. Polk President of the United States, was due to him.

The Polk-Clay campaign, in some respects, presented a very close analogy to the Cleveland-Blaine campaign, which I have briefly described in another letter. The result was in dispute for several days, and Rynders (who seemed to feel all the responsibility of the campaign) was reduced from triumph to despair, and then brought up from despair to triumph several times. The *Tribune*, under Greeley then, just as the *Tribune*, under Whitelaw Reid, in 1884, insisted that the Democrats were defeated, and the town was kept in an excited state by the issue of "extras." But, one afternoon, reports reached the City that several of the interior counties in this State had given Polk such majorities as to insure his election; and then the Democratic rooster crowed most lustily. Capt. Rynders and Elijah F. Purdy, the old war-horses of the city Democracy, were quick to hear the news, and they determined at once to have a "hurrah." They went to Tammany Hall (now the *Sun* building), and Rynders gave orders to have it lighted up, while he ordered whiskey for the crowd that had assembled, and Purdy backed up the refreshment end of the racket. They were going to have "a high old time" that night, sure

enough. This was about six o'clock. But about seven o'clock, a Hudson River steamboat came in from Albany, bringing a hastily-written letter from Thurlow Weed, the Whig leader of the State, to Horace Greeley, containing the statement that the State and the election had gone for Clay "beyond a doubt." This news was a dampener to the Democracy, and the lights just lit in Tammany Hall were put out as soon as possible. But the day after, about four o'clock, as Rynders stood on the steps of the old Park Theatre, on Park Row, quoting Shakespeare to Simpson, the manager, and trying to take his political defeat as philosophically as he could, suddenly a boy ran along bawling out an "Extra *Sun*," which contained the news: "Madison county has gone for Polk by a large majority. Oneida county also in the Democratic line. The State safe for Polk. He is surely elected." And then there was no more Shakespeare for Rynders that afternoon. Having first convinced himself of the truth of this later news, so as to have no more "waste of ammunition," Rynders again ordered Tammany Hall to be lighted up in the best and brightest style of illumination—for which tallow candles were used in those days—and sending out orders for a gathering of the Empire Club, with a band of music, the victory was celebrated by a parade, winding up with Rynders' speech on horseback, as described.

The Empire Club, though a strictly local organization, had its honorary members all over the country, and granted "dispensations" to other States, after the manner of the Order of Free Masons. It also had a Brooklyn branch, which became quite important. The Brooklyn Empire Club was under the management of Moses Odell, who was a strange mixture, like Rynders himself, of a religious man and politician. Odell, every Sunday night, was exhorting at the Methodist chapel, under Rev. Dr. Green, and every Monday night he was to be found among "the boys," hav-

ing what he called "a good time." But, as in Rynders' case, so in Odell's, it was the earnestness and goodness at the bottom of the man that carried him through. Rynders and Odell once met, and compared notes as to the official salaries at the Custom House, which they had received as a recognition of their political service in the Polk campaign. Rynders, the real founder of the Empire Club, was only receiving the paltry sum of $1,800 a year from the Administration he had done so much to elect, whereas, Odell, his Brooklyn assistant, was getting $3,000 a year. This was a case in which the tail received more consideration than the dog; but it at least shows that Rynders did not serve his party for mere dollars and cents, as seems to be too much the rule in these modern days.

Captain Rynders was born and brought up during a period when principle was the predominating motive among politicians and political leaders in the metropolis. Before the adoption of the new State Constitution, the system of governing the State was by officials appointed by the Governor, who had the appointment of judicial officers, and of most of our local officers, except Sheriff, Register, a County Clerk and Justices of the Peace. The transferring of political power from the rich property holders to the non-property holders, by the State Constitution, was the practical carrying out of the democratic over the aristocratic doctrine, of the government by the whole instead of the few. And then began the period of the gradual and steady rise of Tammany Hall to absolute power in this city. The first Mayor of New York elected by the people, in 1834, was Cornelius W. Lawrence, who received only two hundred majority, so evenly was the vote of the city at that time divided between the Democrats and Whigs.

This much can be said for Rynders. If he was a hard fighter for his party, he was a firm friend to those to

whom he was attached. Once an intimate, always an intimate, if one behaved himself. Unlike most politicians, he never forgot. Isaac V. Fowler, the defaulting Postmaster of this city, many years ago, had been kind to Rynders when he needed help, and when he got into trouble—more for his party than for himself—Rynders, as a friend, warned him through a mutual friend, a lady boarding at the then New York Hotel, that "he would, as U. S. Marshal, be obliged to arrest him." And Fowler took the beautiful and fashionable Mrs. Oscar Cole's kindly and womanly hint, and fled—infinitely to Marshal Rynders' relief. Rough as he seemed to be, a kinder, truer man never lived than Captain (ex-Marshal) Isaiah Rynders.

A brief reference to another eccentricity of the metropolis, the Count Joannes, as he called himself—though his real name was George Jones—may interest you. The Count did not figure in politics, but he "mixed in" everything else of a public character. He was, taken all in all, one of the quaintest figures in New York life. For many years he was on the stage, and at one time enjoyed a good reputation as an actor, both in England and this country. He claimed that the title "Count Joannes" was bestowed upon him in Europe, because of his merit as a historian. The later years of his life were spent by the Count in attendance at the Courts in this city, and his active participation in cases was not infrequent; but he had himself for a client in the majority of his suits. Among the well-known actions brought by him were suits for alleged libel against persons who had denied the genuineness of his title, and his proceedings against Mr. Sothern (the original "Lord Dundreary") who, he alleged, had wrought him great damage by what he conceived to be a caricature of himself in Sothern's part in the play called "The Crushed Tragedian." But his litigation brought him little or no profit, though it kept him before the public, and that

was his stock in trade. The Count had an all-absorbing passion for notoriety at any cost, and was always trying to attract attention at celebrated trials, or on other occasions when he could make himself prominent. At the Henry Ward Beecher trial, for instance, he interrupted the proceedings one day by a suggestion to Mr. Wm. M. Evarts, and even attempted to give the Judge on the Bench advice.

The Count was tall and large, and had a scholarly stoop. His face was long, and showed his age, although he evidently tried to repair the ravages of years by coloring his heavy moustache. It was apparent that he wore a wig, but he tried his best to conceal the fact. A carefully arranged lock fell over his brow, and the hair was worn long on his coat-collar. The Count prided himself on his marked resemblance to John T. Hoffman, of whom he was a great admirer. He generally wore a heavy felt hat and black broadcloth clothes, always very bright in spots. For a cravat he generally used a red ribbon, to which he attached his "order." He often carried easily in one hand a pair of black kid gloves, while the other was thrust in his bosom. His attitudes were always studied and theatrical. He was never frivolous, and resented the least attempt to trifle with his dignity. Count Joannes was indeed a quaint make-up, even at a period which might be termed the era of picturesque characters.

LETTER XXVIII.

RUMBLINGS PRECEDING THE STORM—BEGINNING OF POPULAR DISTRUST—CONCEALMENT OF FINANCIAL CONDITIONS—HIDDEN PROVISION OF THE TAX LEVY WHICH GAVE NEW LIFE TO THE RING—CORRUPT PRACTICES OF THE JUDICIARY DENOUNCED BY A FEARLESS LAWYER—WHAT LED TO THE FORMATION OF THE BAR ASSOCIATION—HOW A WILLING GOVERNOR PULLED TWEED'S CHESTNUTS OUT OF THE FIRE—THE RING BRACING ITSELF AGAINST ADVERSE CRITICISMS AND ENTRENCHING ITSELF BEHIND ATROCIOUS LEGISLATIVE ENACTMENTS.

MY DEAR DEAN:

After the passage of the City Charter in 1870, the Ring was in full possession of the City of New York, and through the extensive scope and insidious provisions of that instrument the looting of the City Treasury began with amazing boldness and rapacity. Not yet understanding the immense powers conferred by the Charter, and unaware of the wholesale peculations carried on, the people were generally quiescent; and not until late in the Fall of that year were the rumblings of discontent heard in any disquieting volume, although suspicion, nurtured by hints and rumors, had begun to take possession of the public mind. But it was not until after the adjournment of the Legislature of 1871 that any serious trouble began.

The New York *Times* became bold and vigorous in its denunciations of the Tammany oligarchy and of the corruption of the Judiciary; but, that being a Republican organ, its fulminations were attributed more to political partisanship than to patriotic zeal. In the month of October, 1870, it asked editorially:

"Can this Island be the culminating point of the enterprise, the culture, the wealth and power of the continent, yet its people be incapable to shake off the rule of the dozen sordid men of selfish hearts and narrow brains who have plundered us of millions yearly, obstructed our material growth, made our markets, our wharves and piers and streets, mere monuments of their rapacity, our elections a farce, and now have put up Judges in our very Court-houses to sell injustice for a price?"

A strong municipal ticket was in the field against the Tammany candidates. Apollo Hall had nominated, for Mayor, Thomas A. Ledwith, Democrat, who was endorsed by the Republicans, and the rest of the ticket was made up of strong men, regardless of their previous political affiliations. But this formidable ticket was unavailing, as the Ring had absolute control of the election machinery, and the Tammany ticket was returned with A. Oakey Hall re-elected as Mayor. At that election also John T. Hoffman was re-elected Governor.

The people were wholly ignorant of the financial condition of the city, the Comptroller not having made a report for the preceding two years. The *Times* kept hammering away, day after day, in fearless terms pointing out the grievances of the citizens. It had several editorials criticising Samuel J. Tilden. It claimed that, although acquainted with the doings of the Ring, Mr. Tilden had presided over Tweed's packed State Convention at Rochester, "composed of men of such proclivities that they tried to pick their own Chairman's pocket of his watch as he left the room." "Governor Hoffman," it declared in another place, "helped to build that $350,000 house in Fifth avenue and to support the Fiskian orgies." In another editorial it stated that "there is no quarter of the civilized world where the name of a New York Judge is not a hissing and a by-word."

The Ring Judges were in those days almost openly corrupt. They committed acts in direct violation of law and in bold defiance of public opinion. The fraudu-

lent naturalization of citizens was only regarded in the light of a pastime. It is a matter of record that in fourteen days, from the 8th to the 23d of October, 1868, Judge Barnard naturalized 10,093 citizens.

Here and there throughout these letters, my dear Dean, I have dwelt upon the fact that the rascalities of the Tweed Ring in New York City could not have been perpetrated without the connivance of Republicans both in New York City and in the State Legislature at Albany. During the Legislative Session of 1870 the Ring inspired the passage of several bills, in addition to the City Charter, enlarging its power and safeguarding it against contingencies.

Up to 1870 the office of Comptroller in New York City had been elective, the term being four years. This provision was retained in the new Charter, which went into effect on April 5, 1870, and Connolly's term expired with the close of the year. The bill providing for the City budget (commonly known as the Tax Levy) was delayed as usual until near the end of the session, when it was 'rushed through," becoming a law on April 26—precisely three weeks after the Charter had become operative. When the Tax Levy was critically examined, the following "little joker" was found snugly ensconced amid its numerous provisions:

"The Comptroller of the City of New York shall hereafter be appointed by the Mayor and shall hold his office for the period of four years, as now provided, except that the person first appointed under this authority shall hold his office until the first day of January, 1875. * * * The term of office of the present Comptroller of said City shall end at the expiration of five days from the passage of this act. The Mayor shall make the first appointment herein provided for within five days from the passage of this Act. Any provision of law inconsistent with this section is hereby repealed."

For at least three years the Ring thieves had been doing a flourishing business, and it would be downright folly to incur the danger of an election for a new Comptroller.

While, from the appearance of things, the Ring magnates had every assurance of carrying the City elections in the Fall, yet they deemed it good generalship to take no possible risk of the entrance of some stiff-necked reformer into the office of Comptroller; for there lay the key to the citadel. Even should their entire County ticket be beaten, the "little joker" in the Tax Levy would intrench their own criminal associate in the Comptrollership for four years and eight months, to hide as well as to facilitate their grand larcenies and his own. Accordingly, within five days after the Tax Levy became a law, Mayor Hall appointed Richard B. Connolly Comptroller for an additional term of four years and eight months. [Slippery Dick!]

Obviously the Ring had reason to feel secure in its position and to laugh at hostile criticism. The Executive, the Legislature, the Courts and the voters were harnessed to its chariot. When impeachment of some of the Judges was threatened, Judge Barnard defiantly retorted: "Impeachment be d——d! We have money enough to buy up the Legislature!"

Thus the saturnalia proceeded in the Courts and through the Courts, recklessly and gaily, until the courage and ability of one member of the Bar furnished a glorious, inspiring example to his brethren. Judge Barnard had appointed John B. Haskin Receiver of the Washington Life Insurance Company, and in a proceeding for an accounting Mr. Haskin was on the witness-stand before Judge Barnard. James T. Brady proceeded to cross-examine him as to his conduct as Receiver. Mr. Haskin, feeling himself fortified by the friendship of Judge Barnard, answered evasively and impudently, at the same time indulging in coarse jests at the expense of Mr. Brady.

Mr. Brady insisted on direct answers to his interrogatories. Judge Barnard flippantly sustained Mr. Haskin in every instance, until at length Mr. Brady, rising to the height of

his great powers, and brushing aside all respect for the Judge, boldly asked questions directly inculpating Judge Barnard and his favorite Receiver. He almost directly charged them with joint corruption. In vibrant tones, and with hand pointed at the Judge, he said that he made his statement regardless of consequences, and that, in the interest of the profession and in vindication of the Court, he was not only ready to make a personal sacrifice, but that he should appeal to all honest men and all courageous lawyers to aid him in driving from power those who were degrading the administration of justice. If any other man than Mr. Brady had delivered this philippic, he would probably have been summarily committed for contempt of court; but Barnard, knowing Brady's power as the foremost lawyer and forensic orator of his day, did not lift a finger against the avalanche of Brady's denunciation, but sat pale and trembling and paralyzed with fear. This was the first forward step in the fight against the corrupt Judiciary. The members of the Bar took courage. A number of the more prominent of them met and determined that they should rally around their fearless leader. Another meeting was held, and it was resolved that they should take a stand against the torrent of corruption, accepting all the consequences, even to the penalty of imprisonment for contempt. Thus was formed the nucleus of the organization which has since been known as "The Association of the Bar of the City of New York."

It was Brady's courage that inspired them.

I must stop a moment to tell you of this gifted man. Born in this city, in 1815, James T. Brady grew up under cultured and refined influences. His father, Thomas S. Brady, was an eminent lawyer and jurist who was as inflexible in his honesty as he was dignified in his deportment. Long before young James had completed his collegiate studies, did his father observe in him natural talents and

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qualifications for the legal profession which afterwards so largely contributed to his fame. When not more than 16 years old, young Brady began to take a voluntary interest in his father's cases—even ventured to discuss certain aspects of them, and so enwrapt with the study of the law had he become, that he often followed his father into Court, at this early age, to watch the progress of the legal battle, and even take an unobtrusive hand in it himself.

He was a most comely youth, with clean-cut features, classic head and expressive eyes. After his admission to the Bar, and when a young man of 26 years, he acquired considerable fame in the case of Sarah Coppin, a young English girl, whose parents had died on the voyage to this country, and who, having been robbed of her money on her arrival, was turned into the streets and, under the existing statutes in such cases, was taken up and bound out by the authorities.

Young Brady was retained to secure her liberation. I cannot here go into the legal aspects of the case, nor describe the skill and spirit displayed by the young advocate in a cause which, unimportant enough in itself, became really celebrated by reason of the public interest in it which was evoked by the zeal and eloquence of her counsel. He showed himself more than the master of his opponent, who was the legal representative of the authorities and a man of large experience and great ability in his profession.

His eloquence even at this age attracted the attention of the entire Bar. Moreover, he was learned, logical and forcible. All these qualities, combined with great manly beauty, unaffected affability, and charming manners, lifted him almost at a spring into prominence in his profession. From that time forward until his death, in 1869, there were few celebrated cases, either in the civil or criminal branches of the Courts, that Brady was not retained in on one side

or the other. As he grew in years his legal ability, especially in jury cases, became remarkable. Let a case last a week before a jury and he was almost invincible. Without any apparent effort on his part the jurors became, so to speak, enamored of him.

With all this, his income was never half as large as it ought to have been. He was too princely in all his instincts to worry over fees. In one week, he secured the acquittal of four clients in murder trials, without receiving a dollar's compensation. His financial success was better, however, in civil actions because, in latter days, his practice was generally confined to cases where he was retained as counsel, and where he was not compelled to go through the distasteful ordeal of asking for fees. He never himself settled the amount of his retainer, but left it entirely to the discretion of the brother lawyer who needed his counsel. He never was known to grumble about his fee, or hardly even talk about it, and acted as if that question was a mere trifling incident in the case. Hence his income was never more than $25,000 a year, when he could easily have made it $50,000.

Urged frequently to enter into City politics, he steadily refused. In 1843, he served a short time as District Attorney of this City and County, to which position he was appointed during the absence of the regular incumbent, and two years later he became Corporation Attorney. A strong State's-rights man, he supported Breckenridge (the Southern candidate for the Presidency) against Stephen A. Douglas, in 1860, and ran for Governor of this State that year, on what was called the "hard-shell" or pro-slavery ticket. In 1859, he made the opening speech for the defence in the trial of Daniel E. Sickles, for the murder of William Barton Key, which, for superb eloquence and dramatic effect, was seldom equalled in a Court of law. He was appointed on the "Commission to inquire into the Administration of

the Department of the Gulf, under Generals Butler and Banks," but for some reason the report of the investigation was never published.

Mr. Brady had literary tastes, and was a contributor to the old Knickerbocker Magazine, published in this City. One of his stories, "A Christmas Dream," written in an easy, flowing style, shows the sympathetic and sentimental nature of the great advocate.

This was the lawyer who, in the prime of his manhood, stood before the corrupt Judge and made him quail with fear.

By an amendment of the Judiciary article of the State Constitution, adopted in 1869, no Judge could thereafter sit in review of his own decision. There were then only five Judges of the Supreme Court in the City of New York, that city constituting the First Judicial District of the State. A General Term of the Court, composed of three Judges, constituted then the Appellate Tribunal of the Supreme Court within the City of New York. The Legislature of 1870 passed a law empowering the Governor to appoint, for a term of five years, the members of the General Terms in the eight Judicial Districts into which the State was divided. The Bar Association, now alive to the danger of complete centralization of judicial power in the hands of the Ring Judges, called a meeting to discuss the phases of the new law and to take some action which might ward off the threatened danger.

For several days the lawyers of the City freely discussed the situation, and the general opinion was that Governor Hoffman, in view of all the accusations made against the Ring Judges, would for once resist political dictation and designate at least two outside Judges for the General Term in this city. The Bar Association passed resolutions, addressed to the Governor, which set forth in effect, among other things, that most of the appeals in this City would be

from judgments and orders made by the Judges who would sit in the General Term, unless outside Judges were designated; that, under the new amendment to the Judiciary article of the Constitution, this would plainly embarrass and interrupt the business of the Courts and cause delay and inconvenience; and they appealed to His Excellency the Governor to appoint Judges outside of the City who would not be obliged at intervals to vacate their seats upon the Bench, as each of the local Judges would have to do whenever any case passed upon by him came up for review.

While these reasons were sound in themselves, the main object in view, however, was to secure Judges for the General Term Bench who were outside the influence of the Tammany leaders, so that there might be some hope of obtaining impartial justice, at least in the highest tribunal of the City. In order to add strength to the resolutions, a committee of prominent lawyers was selected to proceed to Albany and urge the matter personally upon the Governor. Charles O'Conor, Joseph H. Choate, Henry Nicoll, Wheeler H. Peckham and William E. Curtis composed the committee. The resolution appointing the committee had hardly passed before Judge Barnard got word of it. He at once rushed off to Tweed's house and told him of the action of the Bar Association and of the intended visit to Albany of the distinguished committee. Tweed listened to Judge Barnard, with a quizzical look, and then said: "When did you hear all this, Judge?" "Ten minutes ago," replied Judge Barnard; "I drove up here as soon as I heard it." "Well," said Tweed, laying his hand on Judge Barnard's shoulder, "these Bar Association people are very clever, but they are a little slow. At two o'clock this afternoon, I learned what they intended doing to-night, and so, to relieve all parties of further embarassment in the matter, I telegraphed the Governor, and at precisely three o'clock this afternoon Judges Ingraham,

Barnard and Cardozo were named as the General Term in this district for the next five years!" Then both laughed heartily at the assured discomfiture of the committee.

Next morning, the committee telegraphed Governor Hoffman that they intended to start for Albany that day, to present the resolutions and to be heard on the subject (which was briefly explained) if that day would be agreeable to him; and received an immediate reply that it was too late, as the appointment had already been made.

It is one of the weaknesses of human nature that, when a man does an act which in his own conscience he feels to be unworthy of him, he generally launches forth into an apology or excuse for his conduct, even before any one puts him on the defensive. So Governor Hoffman, who paraded before the public as a statesman of very lofty ideals, sought to justify his official action in the following memorandum which he had filed with his appointment:

"I have found it impossible, as the Departments are constituted and the time of holding the General Term fixed, to make any arrangements mutually satisfactory to the Judges and myself for transferring Judges from one Department to another, to act as presiding and Associate Justices, and I am constrained to designate for the General Term, in each Department, Judges who reside within it."

Tricked by Tweed and Governor Hoffman, the Bar Association now, instead of being dismayed, determined to consolidate their strength for resistance to the Judicial tyranny and corruption which at that time made honest men avoid the Courts almost as they would a pestilence.

On account of the clamor which was gradually rising against the Tammany Ring, it was determined to silence the critics by the eloquence and sophistry of its orators—a practice in vogue in that institution at the present day. On October 13, 1870, the Tammany General Committee held a meeting at the Fourteenth street Wigwam, at which a great speech was made by the then Corporation Counsel, Richard O'Gorman. Mr. O'Gorman well deserved the name of the

"silver-tongued orator." But he was more; he was learned, logical, forcible and magnetic, with a history as an Irish patriot whose escape from English myrmidons was and is an interesting romance.

Tweed himself, alive to the importance of the occasion, presided. Mr. O'Gorman was at his best. He acted as if he sincerely believed what he said. Perhaps he did. Tweed evidently intended that, through him, New York should be favored with what he believed to be a complete answer to those who criticised the Tammany Hall leaders. Mr. O'Gorman may have been hoodwinked by Tweed, who was an expert political mesmerist. At any rate, Mr. O'Gorman pronounced the charges made in the *Times* and other papers to be "false, scandalous, and idle." He said that the City government was properly and economically conducted, and pointed to the men who were the heads of the various departments, asking who would dare doubt their integrity? I reproduce a portion of his speech, because it will enable you to comprehend Tweed's astuteness in selecting public officers:

If the question is to be fairly put before the people (said Mr. O'Gorman) —if instead of the present Ring, composed if you will, of Mr. Tweed, Mr. Sweeny and Mr. Hall—if, instead of that, there is to be a Ring composed of any other men that I have ever heard named in what is called the "Young Democratic Party," I for one will stand by the old Ring, because I believe it has more sagacity, more power, more intelligence, more political skill and more promise of success than the other! [Applause.]

First, let me take the Department of Docks. The docks are the first thing a stranger sees in the City, and the first thing of which a citizen of New York in times past ought to have been ashamed. They have been in a disgraceful condition. An immense quantity of money must be spent upon them; an immense number of men must be employed upon them. Now, whom did Mayor Hall appoint in this department? He appointed William Wood—my old friend, a Scotchman, a man of enlightened intellect, of high character, a banker known in New York, throughout America and in Europe, and respected wherever he is known; Mr. Agnew, a merchant than whom there is none more honored

in the City of New York; Wilson G. Hunt—what can be said against him? Did any man ever attach to that honored name the slightest cloud of dishonor?

Who is the Chief Engineer of the Department of Docks? A man of high reputation in his profession; a man who has filled the highest offices with honor and dignity; a soldier who, in all the heat of civil war, never forgot that he was a citizen, a gentleman and a Christian—George B. McClellan.

Who is the disbursing officer of this "corrupt" department? Jacob A. Westervelt, an old Knickerbocker, once a Mayor of New York, an old shipbuilder, a man in whom everybody confides. Is it from men like these that corruption is to be expected? * * *

Whom have they appointed in the Department of Parks? Is Henry Hilton respectable? He is the Treasurer and the Chief Executive officer of that Department; a gentleman who has filled high offices; a Judge, a jurist, a man the counselor of the most important mercantile interest in the world; a gentleman of culture and refinement.

Let us pass to the Education Board. Whom have we there? Mr. Wood, Mr. Sands, of the Citizens' Association, Magnus Gross, well representing the German element. What have they done? They have have saved the City one million of dollars per year; and they have largely increased the accommodation to the scholars of the city.

Charities and Corrections—Isaac Bell, Mr. Nicholson, Mr. Bowen. Is there any objection to either of them?

Take the Police Department: Judge Bosworth—a man of dignity and reputation; the contemporary of and coequal with such men as Oakley and Duer—the flower and perfection of our Judiciary in the days when they lived.

But I see one spot, if any, where the Republican party has cause to complain. I refer to the Department of Public Works [Applause]. Ah, gentlemen, that department is presided over by a fearless man commonly called "Boss Tweed." The accusations against Mr. Tweed (he will pardon me for alluding to them in his presence) are very numerous and somewhat difficult to deal with It is said that Mr. Tweed has a gorgeous house. Well, I do not know about that; but I guess every one of us would like to have a gorgeous house! But Mr. Tweed has a stable, and he has horses and he allows each horse ten feet square. That is a mistake; five is enough!

Now, gentlemen, it seems to me that the perfection of Mr. Tweed's house is a matter for Mr. Tweed's family and for Mr. Tweed's guests. The condition of Mr. Tweed's stable is a matter of interest only to Mr. Tweed and to Mr. Tweed's horses. What the *Times* newspaper has to do with all these things—unless upon the principle I have alluded to, of

flinging plenty of dirt, with the idea that some of it may stick—is more than I can understand. * * *

Mr. O'Gorman concluded by showing that the City of New York was economically governed.

Mr. O'Gorman also put forth a special—and I might say, a specious—plea in defence of Governor Hoffman's appointment of General Term Judges, and particularly excusing his approval of the Erie bill, which he was alleged to have signed at the behest of Tweed. All the newspapers next morning printed copious reports of O'Gorman's speech, which lulled the doubts and misgivings of many citizens. The array of names cited by the orator attests the sagacity of Tweed. He was a Boss keen-witted enough to appreciate the advantage of identifying men of ability and good repute with his administration by putting them into places of honor while himself and his confederates took charge of the "profits."

Had any Legislative Committee of that time, dazzled by the lavishness of his expenditures, impaled him on the query, "Where did you get it?" the blithe and buoyant Boss would doubtless have responded: "That is my personal business. I decline to answer!"

As illustrative of Tweed's disposition, as well as of his estimate of the character of "Slippery Dick," and his other associates, I copy the following which appeared in the New York *Sun*, after Tweed's downfall:

Tweed was too generous in his estimate of men. He was almost invariably deceived in his acquaintances. There were not five in the large circle of his "friends" but took advantage of his weakness. He respected Sweeny as a great manipulator of men. He liked Hall, but said he had no ballast. For Connolly ("Slippery Dick") he had the utmost contempt. With all his show of suavity and courtliness Connoly was at heart mean and crafty. It used to grate on Tweed's soul, when his friends, especially of the poorer sort had to pay tribute to Connolly, or his son or some of the leeches around him, or else wait his pleasure for payment of the money due them. On one occasion a city creditor appealed to Tweed to use his influence with Connolly to have his bill paid.

"Is it all right?" asked Tweed.

"Certainly." said the other.

"Have you asked for it?"

"Twenty times and I can't get it unless I give up 20 per cent."

Tweed looked at him for a moment then taking a slip of paper hurriedly wrote to Comptroller Connolly as follows:—

"Dear Dick:

"For God's sake, pay ———'s bill. He tells me your people want 20 per cent. The whole d——d thing isn't but $1,100. If you don't pay it I will.

"Thine,

"WM. M. TWEED."

The creditor got his money at once and in full.

On the 27th of October, 1870, ten days before the election, Tammany had, both inside and outside the Wigwam, perhaps the greatest demonstration in its history. A procession of the various districts throughout the City blocked the streets for several miles around. On the platform within the building were seated Horatio Seymour, who, two years before, had run for the Presidency; Governor John T. Hoffman, candidate for re-election; Kerr of Indiana; Tilden, and a large number of noted men in local, State and National politics. Conspicuous among them was James Fisk, Jr., who, up to this time, was known to have been a Republican, and who now sat beside Tweed, before an audience which seemed almost fierce with enthusiasm. William M. Tweed, calling the meeting to order, made the opening address. He was calm and easy in manner as he delivered a speech which, in view of what was to be disclosed eight or nine months later, was a marvellous piece of audacity. His concluding sentence was:

"We know and feel that although the oppressor's hand—I mean the corrupt Republican party—is upon our throat, still we must calmly resist, and by the firm and judicious exercise of the proper law of our government, which is our only protection against wrong, show that the City of New York is a peaceable, law-abiding, and, as the whole world knows, a well-governed City."

Tweed then introduced August Belmont as chairman of

to consider it. For instance, if the appeal were from Judge Barnard's decision, Judge Barnard retired from the Bench during the argument; if it were from Judge Cardozo's, Cardozo retired during the argument; and the same course was pursued with regard to Judge Ingraham's decisions. These three Judges being the obedient servants of one political master, all working toward one point, namely to administer Justice in accordance with the interest of the Ring and its numerous prominent adherents, it is easy to understand that no clashing on law opinions should exist between them. So it was always safe to calculate that an appeal from any order or judgment of any of the trio would almost invariably result in an affirmance of the decision of the court below.

Hence it was that, judging from the very few instances in which the decisions of any of the trio were reversed by the General Term, Barnard, Ingraham and Cardozo, appeared on the record as the most profound jurists the world ever knew! You will observe that they had within their own keeping the reputation of one another for judicial learning, and that, the three being known as Tweed's Judges, it would never do to have them appear on the record of the General Term as being guilty of any error.

Thus matters progressed and apparently prospered with Tammany until the end of Summer drew near. Then came a succession of events which startled New York like so many thunderclaps from a sunny sky.

LETTER XXIX.

CHIEFS OF THE TRIBE OF TAMMANY IN THEIR GLORY—MUTUAL CONGRATULATIONS ON AUSPICIOUS CONDITIONS—BUT A POWERFUL NEWSPAPER BEGINS TO "SAY THINGS"—A PRESENTATION OF FIGURES WHICH STARTLES THE COMMUNITY—CHOATE'S JAVELIN OF JUSTICE—HOW HE ANSWERED TWEED'S INQUIRY OF "WHAT ARE YOU GOING TO DO ABOUT IT?"—RESOLUTIONS THAT MEANT BUSINESS AND WORKED WONDERS.

MY DEAR DEAN:

After the verdict of the people at the polls, in November, 1870, which gave such a flattering endorsement to the Ring Administration of the City government, Tweed, Sweeny, Hall and Connolly sat down, so to speak, to the feast which the citizens of New York had spread before them. There was so much political "pap" to be distributed on and after the first of January, when the newly-elected officers would be installed under the provisions of the new Charter, that it was necessary in advance of that time to consider the claims of the numerous supporters, dependents, camp-followers and sycophants who clustered daily in and about Tweed's headquarters. And there came, too, and hovered around Tweed, several Republican leaders, looking for the bonus which had been promised as their reward for cutting the political throats of their own party candidates.

New Year's Day, 1871, brought a vast multitude of political grandees to the City Hall, to congratulate A. Oakey Hall on his second triumphant election as Mayor of the American metropolis. Girt by a bevy of sweet-scented politicians there stood the Mayor in all his glory, looking

the embodiment of sincerity and integrity and goodness. There, too, was Tweed, and Sweeny, and "Slippery Dick," and Keyser, and Ingersol, and "Big Andy" Garvey.

What a shame it was for the New York *Times* and other papers to even suspect such a jovial, genial, happy and innocent-looking group, of having committed theft and plunder! These worthies had the satisfaction of knowing, however, that the majority of the people of New York did not credit the accusations, which, according to Tammany's great orator were, "false, scandalous and idle;" for the votes of the people apparently gave the lie to the "maligners."

And so the year 1871 was ushered in, gay and bright and promising for the Tribe of Tammany, and so it continued until after midsummer.

The *Times* newspaper had kept up a fairly steady bombardment of the Ring, but its assaults were generally regarded as ebullitions of partisan zeal or spite. Its guns thundered incessantly, hotly; but it lacked the right sort of ammunition until Ex-Sheriff James O'Brien carried to it a trainload of armor-piercing projectiles.

Mr. O'Brien had only recently completed his term in the lucrative office of Sheriff. Being of a frugal and acquisitive mind, and therefore not satisfied with his handsome emoluments, he rolled up against the City a formidable bill of "extras," which the close corporation of the Ring refused to audit or pay. Whereat Mr. James O'Brien waxed virtuously wrathful, as did Bret Harte's "Truthful James" upon discovering the "ways that are dark" and the "tricks that are vain" of his "Heathen Chinee" protagonist at the gambling table. Mr. O'Brien was not a man to be trifled with or repulsed under such circumstances, while Tweed and Tweed's favored "pals" were looting the City's treasure-chest.

Death played a fateful card in the game, when Auditor Watson was killed while driving through Central Park.

Employed as a clerk in the Auditor's office was a protégé of O'Brien, one Copeland, who came across some accounts that bore a suspicious look. He quietly copied the documents and submitted them to O'Brien, who instructed him to go ahead and copy others. Had Watson not been killed, Copeland would probably have had no opportunity to abstract this evidence. Watson being dead, O'Brien got the mathematical proofs, and, being a patriot with a glowing grievance, delivered to the *Times* the very ammunition for which that belligerent and plucky journal was pining.

Having analyzed and mastered the damning figures, the *Times* skilfully maintained and nursed its attack throughout the Summer; then, when the people were returning from their vacations, and election time was again approaching, it turned loose its heaviest batteries with a roar that startled the city from turret to foundation; demonstrating clearly, irrefutably, that the municipal treasury had been robbed of millions in the most barefaced and reckless fashion! Was it mere assertion? No; for the accusation was accompanied with forceful evidence of its truth. Besides, the *Times* pledged its good faith to the public that it held possession of the proofs that the Treasury had been looted. It gave out, among other figures, that James H. Ingersol, chairmaker, was paid for supplying furniture to the New Court House, $5,750,000. Andrew J. Garvey was paid nearly $3,000,000 for plastering the New Court House; Keyser received $1,250,000 for plumbing work; to J. A. Smith, wholly unknown, was given $750,000. Then the accounts showed that the thieves were humorous rascals, for they had it recorded that there was paid $64,000 to T. C. Cash—man, who had no existence, while Phillipo Donnoruma, a wholly fictitious character, was credited with having received $66,000, and the funny politician who got the money signed the warrant, "Philip Dummy." Being interrogated on the subject by a newspaper reporter,

Tweed said, abruptly: "Well, what are you going to do about it?"

The public was astounded at the magnitude and audacity of the frauds. A call for a public meeting was issued for Monday, September 4, 1871, at Cooper Union. The foremost men in the city attended. They occupied seats on the platform, looking dark and determined. The auditorium was packed with merchants and business men, doctors and lawyers, mechanics and clerks. The public intelligence and the public conscience had awakened to the disgrace and the danger of the situation. They sat silent and sullen, as they watched the great leaders of the movement, who talked in groups, and almost in whispers, on the platform.

Former Mayor William F. Havemeyer, a proud merchant, was made chairman. His utterances in opening the meeting were calm, but threatening. His manner was what might be expected of a bank President, who had to make to the directors the painful announcement that the bank had been robbed. Judge James Emott, who followed Mr. Havemeyer, analyzed the figures, and then said: "Gentlemen, there is no denial of these fraudulent payments and there is no fabrication of their amount. Now, what are you going to do with these men? (A voice, "Hang them!" This answer brought immense applause from all parts of the house.) I tell you, gentlemen," continued Judge Emott, "that the world—the world is waiting to see if the men of New York believe in honesty or worship fraud. (Great applause.) We must repeal this charter; we must punish the guilty, and recover the money to the city. If the citizens of this great metropolis work in earnest, they cannot be resisted. There is no power like the power of a people armed, aroused, and enkindled with the enthusiasm of a righteous wrath!"

Then came the appointment of a committee on resolu-

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"This is what *we* are going to do about it," said
JOSEPH H. CHOATE.

tions, composed of Joseph H. Choate, James Emott, Edward Solomon, Henry Nichol, Reuben W. Hawes, John Foley, and Washington R. Vermilye. While this committee was in session in an adjoining room, Oswald Ottendorfer, editor of the *Staats Zeitung*, and a leader of the German element in New York, delivered a strong, fervid and powerful denunciation of the Tammany thieves. He was followed by Edwards Pierrepont, who insisted that "the manhood of New York should assert itself and drive the marauders from the positions they had dishonored."

The audience, anxious to hear the stinging rebukes and caustic sarcasm, ofttimes guised in pleasantries, for which Mr. Choate was even then noted, cried "Choate! Choate!" Mr. Choate, with a scroll of paper in his hand, advanced slowly to the front of the platform. He was then thirty-nine years of age. Seldom has there been seen on a platform such a combination of physical comeliness, mental excellence, and moral stamina, as he presented that evening when he hurled a "javelin of justice" at the gorgeous and powerful banditti who held possession of the City Treasury.

"This," said he, (presenting the scroll of paper towards the audience), "is what *we* are going to do about it!"

Before Mr. Choate had finished this answer to Tweed's defiant inquiry, the audience broke into a whirlwind of applause, which lasted several minutes. Then, unfolding the paper, he read loudly and clearly:

Resolved. That the taxpayers and citizens of New York have learned with astonishment and alarm that the funded and bonded debt of the City and County has been more than doubled within the last two-and-a-half years; that the acknowledged indebtedness of the City and County is now upward of $113,000,000, being over $83,000,000 more than what it was when the present Mayor took his office, and that there is reason to believe that there are floating, or contingent, or pretended debts and claims, against the City and County, which will amount to many millions of dollars in addition, which will be paid out of the City and County Treasury, unless the present financial officials are removed or their proceedings arrested.

Resolved: That the distinct, precise and emphatic charges, in regard to the use and expenditure of the enormous sum and the fraudulent misappropriation of the public money, which have been made against the present City and County officials, have been met by these officers with contemptuous denials of any power to interfere, with flippant evasions, with studied concealment of a large part of the public accounts, and with attempts to garble and confuse the residue, and, by the other parties implicated, with an utter silence which is a confession of their guilt.

Resolved: That the facts and figures already disclosed compel us, as they must all honest and reflecting men, to the conclusion that enormous sums of money have been wrongfully taken from the public treasury; that millions of dollars have been paid to a few firms and individuals for work never performed and materials never furnished, and this with the procurement or connivance of persons now holding the principal offices of trust and profit under the present Charter; that exorbitant rents are paid for military armories and offices, and in several instances for rooms which do not exist or are not occupied; that the long and continued concealment of the accounts of the City proper furnish ground to believe that these accounts will disclose facts, if possible, yet more astounding, and will show that the same men who have squandered or stolen hundreds of thousands of the tax-payers' money, are still engaged in similar frauds and peculations.

Resolved: That the public officers directly arraigned at the bar of public judgment for these offenses are William M. Tweed, now Commissioner of the Department of Public Works, some time President of the former Board of Supervisors, and afterward one of the "Interim" Board, who had notoriously a controlling influence in the first of these Boards, and shared in the acts of the other; and who, from his relations to parties in whose name bills were presented, and to whom they were ordered to be paid, is open to the suspicion not only of having planned the swindle, but of having shared the plunder; Richard B. Connolly, the present Comptroller, and A. Oakey Hall, the present Mayor, who were not only also members of the "Interim" Board which sanctioned the payment of several millions of dollars, contrary to law and right, but who also signed the warrants and consented to the payments which they confess they had the power to expose, if not to arrest; and unless these officers can meet the charges by other evidence and on different pleas than have yet been furnished in their behalf, the credit of the City of New York and the material interests of its citizens will demand that they quit or be deprived of the offices which they have dishonored and the power they are abusing.

Resolved: That we have a right to and do demand a full and detailed

exhibit of the public receipts and expenditures for the past two years and a-half, and of the real and pretended liabilities of the City and County of New York, including its funded and its floating debt. This demand is not simply to show whether the men who have used money of the city, and created its now enormous debt, can produce vouchers or accounts for every payment, or whether the books of the Comptroller were balanced, but what is the total amount which has been collected from taxes, received from revenue, and borrowed upon the credit of the City; and what has been done with the money, to whom it has been paid, and upon what consideration and pretense, in every instance.

Resolved: That the citizens of the City have also a right to know, and are determined to ascertain, who are and have been on the pay-rolls of the City government, what pay they receive, and what services they render, as well as who have actually profited by the enormous payments of bills or accounts, obviously exceeding any value received by the City; who have been represented by the fictitious names alleged to appear in these accounts; and to what extent any members of the present City government are concerned, in real partnerships or under fictitious names, in the plunder of the public Treasury.

Resolved: That any legal remedy which is now available to citizens as large to fully ascertain the disclosed frauds charged upon the City or County officers, and to recover the money wrongfully taken thereby from the Public Treasury, should be resorted to; and that, if no such remedies are found to exist, then the law should be altered so as to enable citizens and taxpayers, under proper restrictions and regulations, to call officers entrusted by them with power and money to legal account, and to invoke the arm of justice to discover fraud in public officers, and to prevent or redress the dishonest appropriation of public money.

Resolved: That we appeal to the next Legislature of the State, to repeal the Charter and laws by which the present rulers of the City have obtained and perpetuated their power, and to give to the City of New York a form of government such as shall be devised or approved by our wisest and best citizens, and shall enable us to secure an honest and efficient administration of the laws.

Resolved; That the citizens of this City are earnestly entreated to make the reform of their own government the one controlling issue at the next election; to support no man for office and especially for the Legislature of the State, no matter what may be his party name, who is not known to be both honest and incorruptible, and determined, and distinctly pledged, so far as he is able, whatever may be the consequences, to reform the City of New York; and that our fellow-citizens

throughout the State are entreated to join us in the effort to redress evils which concern them hardly less than ourselves.

Resolved: That the public credit, character and the business interests of this great and growing City imperatively demand that its citizens be kept fully and constantly informed of the issue of any public stock, bonds, or other evidences of debt, binding the real or personal property of the City or its citizens; and, further, that legal provision should be made for preventing any such issue not especially authorized, or exceeding the amounts specifically appropriated for that purpose, by means, if necessary, of officers to be elected by the people of this City, in such manner as to secure the representation of the whole people, the minority as well as the majority.

Resolved: That the thanks of the community are due to the public newspapers which have contributed to enlighten the public mind and to form and give utterance to public opinion upon these issues; and especially to the New York *Times* for its fearless and searching investigation and exposure of the public accounts and of the conduct of the present officers of the City.

Resolved: That an Executive Committee of seventy members be appointed by the president of this meeting, whose duty it shall be to take such measures as shall be necessary or expedient to carry out the objects for which we are assembled; to demand a full exhibition of all the accounts of the City and County, and an explicit statement of all the persons to whom, and the pretenses upon which, the large payments of the past two years and a half have been made; to enforce any remedies which now exist to obtain this information, if it is refused, and to recover whatever sums of money have been fraudulently or feloniously abstracted; and also to press upon the Legislature and the Governor of the State such measures of legislation and action as may be necessary or proper to enforce the existing laws, and to supply their defects, and to remove the causes of the present abuses; and, finally, to assist, sustain and direct an united effort, by the citizens of New York, without reference to party, to obtain a good government and honest officers to administer it; and the said committee are hereby authorized to call upon all citizens interested in good government to contribute such funds as may be needed to execute the powers entrusted to them, and also to fill vacancies and add to their number.

The effect of these resolutions was electrical throughout the City, and in a few days led to the next formidable step towards the downfall and destruction of the Ring.

LETTER XXX.

MARRIAGE OF TWEED'S DAUGHTER—A SEVEN HUNDRED THOUSAND DOLLAR WEDDING—JAMES GORDON BENNETT'S COMMENT ON IT—OPENING OF THE NEW AMERICUS CLUB BUILDING—TWEED'S GALA DAY WHILE ON THE BRINK OF A VOLCANO—MAGNIFICENCE OF THE TIGER'S LAIR AT GREENWICH, CONN.—PRACTICAL JOKERS OF THE CLUB—ROWING RACE BETWEEN JOHN FOX AND "JAKE" SOMERINDYKE—SIMPLICITY OF JOHN KELLY CONTRASTED WITH THE SURROUNDINGS OF HIS SUCCESSOR.

MY DEAR DEAN:

While mentioning, in my preceding letter, some of the notable events leading up to the political upheaval of 1871, I omitted to mention two occurrences in which the then Boss figured; and as these illustrate the lavish display incident to overweening pride—which, we are told, "goeth before a fall,"—and the swagger which too much success frequently leads to, perhaps they are worth relating.

One of these events was the regal display made by Tweed over the wedding of his daughter. This affair was heralded far and wide, and the elaborate preparations for it were discussed in the style usual to newspaper announcements of "grand social events." The wedding took place on the thirty-first day of May, 1871, in Trinity Chapel, West Twenty-fifth street, near Broadway; the same minister, Dr. Price, who had married the parents of the bride, and who had attended to other matrimonial "jobs" for the Tweed family, officiating. The daughter's name was Mary Amelia, and she was married to Mr. Arthur Ambrose Maginnis, of New Orleans. As I was not honored with an invitation to this distinguished social event, I shall let the

New York *Herald* of June 2, 1871, tell its story. I quote from an editorial in the inimitable style of James Gordon Bennett (the elder), which I find in that paper of the date mentioned:

The wedding presents, displayed in a grand show-room, were glorious to behold. They represented in cash seven hundred thousand dollars—a display of wedding-presents unsurpassed by the collection of the celebrated Oviedo diamond wedding, or of any occasion of the kind, we dare say, since the marriage, two or three years ago, of a daughter of the Khedive of Egypt, and completely eclipsing the jewelry presents to the British Princess Louise, on the occasion of her union with the heir of the great Scottish Duke of Argyll. Seven hundred thousand dollars! What a testimony of the loyalty, the royalty, and the abounding East Indian resources of Tammany Hall! Was there any Democracy to compare with thy Democracy, in glory, power, and equal rights, under the sun? Never! And it is just the beginning of the good time coming. Don't talk of Jeff Davis and his absurd Democracy; don't mention the Democracy of the Paris Commune, as representing true Democratic principles; but come to the fountain-head of Democracy, the old Wigwam, and you will get it there—if you get within the lucky circle of the "magic" Ring. There you get into a Democratic placer which gives you, without the labor of digging, but with some deep diving, the pearls of Ceylon, the silver of Mexico, the gold of California, and the diamonds of Golconda, South America and Alaska. And they say that, by the "rule of three," it all comes out of the Tax Levy, and from the abounding blessings of municipal sovereignty and a municipal and a munificent emperor, who needs only a crown of brilliants and a throne of ivory, surmounted by a golden peacock as large as life, with an outspread tail blazing all over with diamonds, to rise to the Oriental splendor of the Great Mogul.

I will not enter into details regarding the wedding further than to say that every prominent office-holder of the City and State, Republican as well as Democratic, together with merchants and financiers, helped to contribute to the grandeur of the occasion; and as among the presents were a silver set of two hundred pieces "from father and mother," and a bank-book for twenty-five thousand dollars "from father," no doubt the heart of the happy father of the bride swelled with pride and joy.

The other event to which I shall refer was the formal

opening of the magnificent new Club House of the Americus Club, of which Mr. Tweed was president, on the tenth day of June, 1871, less than two weeks after the great wedding.

The then famous Americus Club, which was organized for aquatic purposes, in 1849, and which gradually drifted into a social, convivial, and political institution, was modeled after the old English clubs, and its members sought its hospitalities chiefly in Summer. Its headquarters were at Greenwich, Connecticut, or, to be more specific, at Indian Neck, on the shore of Long Island Sound. There the members at first held their camp from June until September 15. In the Winter, the Club gave a grand ball in the city, which was always an enjoyable affair; but the more active members of the Club, during the Fall, Winter and early Spring, found their chief fraternal enjoyment at the gathering of the noted Blossom Club, chartered in 1864, of which Owen W. Brennan was president, composed of congenial spirits, most of whom, like Tweed, enjoyed membership in both the Americus and Blossom Clubs.

So popular had the Americus Club become that applications for admission to its fold poured in from all sides, notwithstanding the initiation fee had been advanced to $500 and that the yearly dues were $200. The Club house and grounds as they stood up to the close of the season of 1870, with the broad promenade, the "General's camp," the handsome library building and other houses, had been sacrificed, and a magnificent new building had been erected for the use of the Club and its guests, at a cost of $300,000 —unquestionably one of the finest establishments of this kind in the world.

The building was L-shaped, each wing being 180 feet long and 32 feet wide, and at the end of each wing was a tower 130 feet in height. The parlors were on the main floor, one of them, 90 by 32 feet in dimensions, being really

one of the finest rooms in the country, while the reception-room, known as "Tweed's Den," was gorgeously gotten up. The sleeping-rooms above were furnished with black walnut, and the adjoining parlors with rosewood and reps. The floors were carpeted with velvet medallion, and a piazza sixteen feet wide surrounded the house, the view from all parts of which was romantic and enchanting. A grand dining hall, 100 feet long and 30 feet wide, was situated east of the main building; and the Club House and all its surroundings were fit for use, Summer or Winter.

The Americus Club owned several yachts and two or three small steamboats, the latter being chiefly employed in conveying members and guests between New York City and the camping-ground, while the yachts were used for pleasure excursions of guests who enjoyed a spanking breeze and a spin on the ocean wave. Tweed was for several years connected with the Americus Club, but it reached the culmination of its glory about the same period that he reached his, in June, 1871, at which time he was as much its central orb as is Boss Croker to-day the central orb of the New York Democratic Club.

There was, of course, at the opening a grand gathering of notabilities and satellites, and a spread of good things, gotten up "regardless of expense." Tweed was the recipient of congratulations on every side; and, from his standpoint, no doubt, he felt much elated, although I cannot but think that a man of his experience and intelligence must have discerned threatening symptoms of the coming storm. But, having thus far overcome every obstacle which had beset his path, and having through legislation fixed everything for a five years' reign of "peace and prosperity," he no doubt enjoyed the gala day, and probably felt that he could afford to treat with contempt all public criticism of his acts and those of his associates.

The entertainments at the Club House during the season

of 1870 had been on a scale of princely munificence, costing, it was estimated, not less than fifty thousand dollars. The average number of guests was not less than one hundred, all partaking gratuitously of the hospitalities of the Club. Every distinguished Democrat who happened to visit the metropolis during the sea-shore season received at Tweed's hands a cordial invitation to partake of the hospitalities of the Americus Club, nor was this invitation confined to the Democrats alone. His Republican confrères of the Legislature, as well as Republican officials of the city were very frequently Mr. Tweed's guests at Indian Neck.

But when Tweed fell, the Americus Club collapsed; its glory departed; yet the many pleasant associations connected with it are, to this day, discussed by those who participated in them; and an amusing joke, said to have been played on ex-Congressman John Fox, now Vice-President, I think, of the New York Democratic Club, is still relished in political circles.

Toward the close of a Summer day, in 1870, the Americus Club House was crowded with members and guests, all of whom were having a jolly time, and everyone felt in good humor and ready for any fun that happened to develop. Almost every man likes to think, or have others think, that he can swim, sail, fish and row—four things which really few men can do very well, and which therefore every man tries to convince every other man he can do better than most other men. John Fox (who, by the way, is one of the very few politicians I have known who, after many years' service in public life, having been Congressman, Supervisor and State Senator, has escaped calumny) was not an exception to this almost universal rule, and, finding that there was a good deal of boasting going on as to how this or that one could handle an oar, he joined in the game of brag. Eugene Durnin, a jolly good fellow —not long since passed away—somewhat to Fox's surprise,

seemed to become, in the course of conversation, convinced that Fox could row, and finally offered to bet that he could beat "Jake" Somerindyke, a noted sport, in a rowing match, which bet was taken up by Owen Brennan, another jolly good fellow, in behalf of "Jake" Somerindyke; and so, to back up the men who had backed them up, Fox and Somerindyke agreed, for the sport of the thing, to row against each other the next afternoon.

There was feverish excitement in and around the Club House the next day, and after going through all preliminaries incident to a contest, the race came off. John Fox was in capital trim, had an excellent boat, and rowed vigorously; yet, somehow, he did not seem to propel his boat to satisfy himself. He tugged at the oars; he sweated like an ox; he would have sworn—had he not at that time been a Tammany man in good standing. But the boat did not make the time he had evidently expected. Perhaps he had expected too much, and had not made due allowance for the state of the tide. "It's a devil of a flood-tide, ain't it?" he called out from his boat to his opponent, Somerindyke, who yelled back, "I find it so here;" and "Jake" seemed to tug as vigorously at the oars as did John, but not so vainly; for Somerindyke beat Fox badly.

It was declared by Fox's friends to be "too bad; but it was the fate of war," and Durnin, who had lost, told Fox "it was the devilish tide," and not to be discouraged—he would do better next time; then Durnin promptly paid over to Brennan the amount staked on Fox. As the money was changing hands, Fox detected a roguish look exchanged between the two. This perplexed him; in fact, there was something about the whole affair which bothered him. Why should his boat have dragged so heavily through the water? The tide had not been against him, but in his favor, as he had since ascertained. His defeat was not, then, attributable to the water; and he had certainly pulled his

best, and the boat looked all right. After all, could anything have been the matter with the boat? Could it have been tampered with? Fox said nothing, but he "did a power of thinking." At night, when nobody was around and the race had been partly forgotten, Fox went down to the dock and, hauling in the little boat which he had used in the match with Somerindyke, examined it carefully. He found, what he had by this time strongly suspected, that "a job had been put up." His boat had been "skagged," as it was termed—that is, a piece of wood had been nailed crosswise to the keel. All was now explained. No wonder the boat's speed had not satisfied him; no wonder he had tugged and sweated to no purpose, and laid his lack of progress to the tide. Then Fox hauled in and inspected the little boat which his opponent had used, and found that it was all right; it had not been "skagged."

Fox now understood everything. Somerindyke had only pretended to tug at his oars, to keep up the illusion of a strong tide, and the well-planned joke. And Durnin (Fox was now well satisfied) was at the bottom of the whole thing; had "put up the job," and made a bet on Fox for a blind, being willing to lose his bet for the fun of the thing; and Fox was further convinced that "all the gang" had been let into the joke and had "got the laugh on him." Usually a pretty good fellow and one who could stand a joke, Fox just now was a little annoyed, not relishing the situation. Meeting Durnin, he made a wild dash for the offender, and friends had all they could do to prevent a personal encounter, which both men would have regretted, for they were always genial companions. Fox determined, nevertheless, to keep a rod in pickle for Durnin; and when, one day, they were members of a party out on a hunt for blue fish, Fox was alert to get even, if he could. Durnin prided himself on his fishing and his perfect knowledge of all that appertained thereto, and especially was he an expert

at blue fishing. But on this particular occasion, it was his fishing that made Durnin "blue," not his fish; for, although he arranged his lines with the utmost skill, fixed his outriggers, and all that, and although he hauled in with a proud sense of triumph every time, yet he hauled in, not blue fish, but empty bottles which Fox and the rest of the crowd managed to attach to Durnin's line while he went, every now and then, below deck to "wet his whistle." There is a way of attaching a bottle to the end of a line, tying it round the neck, centre and bottom, so as to make its motion at the end of the line produce precisely the same "feel" at the other end as a blue fish would. Three separate times did Fox and his companions fool Durnin in this way, each time Durnin thinking, "Well, there is no more fooling this time," and of course he got the laugh "dead against him," and Fox was avenged.

It was in the pursuit of such practical jokes that some of the members of the Americus Club managed to kill time and enjoy their recreation season at Indian Neck.

During the period of John Kelly's reign as Boss of Tammany Hall, he indulged in no extravagance. He had no Club house, with its expensive appendages. He occupied two small rooms in the rear of the second floor of No. 117 Nassau street, as business offices, for the purpose of closing up his affairs connected with the Shrievalty, and those who wished to consult him could either see him there or at certain hours in the conference room at Tammany Hall.

Under the reign of Boss Croker, there is an imitation of the Americus Club grandeur, in the Democratic Club of this City, which occupies a spacious building on Fifth avenue, in a fashionable section, not far removed from the Vanderbilts, the Astors, the Goelets, and other "well-fixed" families. This club now numbers among its members almost every Judge, Congressman, Senator and other Democratic office-holder in the metropolis, together with every-

body else who is looking for recognition from the existing Boss.

Less than two years ago this Club was being conducted more as a social than a political institution, sustained by gentlemen of Democratic affiliations, and comparatively few office-holders were numbered among its members. No sooner, however, was it known that Mr. Croker had become interested in the Club, than all the satellites of that great political orb flocked to its membership roll, and very soon Mr. Croker and his friends were in control. Ex-Governor Flower, its then president, became a withered rose, and although Judge Truax, of the Supreme Court Bench, is now president, the "Boss," when present, is the central figure every night in the Club, and when he moves, the minor multitude moves with him. As an instance, I may mention that not long ago Mr. Croker was sitting in the parlor of the Club, conversing with Mayor Van Wyck and James W. Boyle, and the smoking-room or café was almost deserted; no business was being done. "This will never do," said John F. Carroll, Mr. Croker's right-hand man, "we'll have to take the benefit of the bankrupt act if Mr. Croker does not soon visit the smoking-room," and Mr. Carroll jokingly told Mr. Croker what he had said. The Boss took the hint, invited his two companions to join him in the smoking-room, and no sooner was he seated at one of the tables than the crowd swept out of the parlor, and soon every table in the smoking-room was occupied by men who only a short time before had forgotten that they ever drank or handled a cigar; and as clouds of smoke rolled up to the elaborately decorated Democratic ceiling, and the merry clinking of glasses was heard, Carroll gave Croker a wink, and said, "I told you so!" while the Boss serenely nodded his approval as he called for another fifty cent cigar.

Subserviency to Bossism, I regret to say, is even greater now than it was at the time of Mr. Croker's first "illustrious

predecessor," when the present Boss, then an humble Alderman, was legislated out of office by the original Democratic "Club" man, through the Charter of 1870.

LETTER XXXI.

HOW THE RING HUMBUGGED THE PROUD AMERICAN CITIZEN—A GREAT MORAL CONVULSION IN THE AIR—SERIOUS TALK AT A SECRET CONCLAVE—SUGGESTION OF A NEW YORK VIGILANCE COMMITTEE—EXPERIMENTAL APPEAL TO A CORRUPT JUDGE FIRST TO BE TRIED—HIS UNEXPECTED GRANTING OF A SWEEPING INJUNCTION—UNSUCCESSFUL EFFORT TO MAKE A JONAH OF "SLIPPERY DICK"—ZIGZAG FIGHT AND MAYOR HALL'S TOPSY-TURVINESS—BUSINESS MEN'S RALLY TO OUST THE MUNICIPAL THIEVES.

MY DEAR DEAN:

The people of the City of New York, in their aggregate capacity, are an unusually sensible and orderly community, and have on many occasions exhibited strong qualities of forbearance and sober reflection in the midst of great moral convulsions and under circumstances which in other dense centres of population, especially in Europe, might have led to violence and bloodshed. Whenever I have seen the great bulk of New York's population practically frown down any attempt at violent disturbance, as I have on several occasions, I cannot but believe that this steadiness of purpose to discountenance any proceeding subversive of law and order has its birth and sustenance in universal suffrage.

Despite the existence of Bossism every thoughtful American citizen is conscious that the people here exercise sovereign power. They know that their votes can make or unmake rulers. Every citizen worthy of the name, no matter how humble his station in life, feels that his right of suffrage gives him an equal voice with the millionaire in forming the government of the State or City. He may be duped and he may err, but opportunities speedily recur for retrieval.

When election day comes, every man with an honest ballot in his hand is a sovereign. The mechanic and the merchant, the hod-carrier and the millionaire, the man of letters and the man of law, the dealer in spirits and the spiritual director, the boot-black and the dude, the scavenger and the sport, the bar-tender and the bum, stand side by side at the polls to exercise the sovereign and sacred right of hereditary freemen in choosing those who are to administer the government for them, not as their masters, but as their servants. This is what makes an American citizen proud. This is what makes him stamp down every attempt to disturb the order and system of which he himself is an integral part.

The gigantic thefts by the Ring were particularly exasperating at the time they were discovered, and the sudden disclosure one day that millions had been stolen from the City Treasury was provocative of the deepest agitation.

Let us look at the conditions under which this untoward calamity burst upon them. The City had then a population of nine hundred thousand. For five years the taxes had been inordinately high, each succeeding year steadily increasing the burden. Many were the murmurs of discontent, but they were temporarily silenced by magnificent and misleading messages of Mayors, florid and dishonest reports of Departments, eloquent and deluding speeches from orators, and various other devices of skilled politicians. So it went on until the early Fall of 1870, when the taxes appeared to have taken an unusually strong upward tendency. Then it became necessary to do something in order to keep the voters in line for the forthcoming Democratic ticket. To this end the great Tammany demonstration of October 27, 1870, described in a previous letter, was planned, with Seymour, Hoffman, Tilden, and other great lights drummed into the service, so as to blind the voters to everything but the glory of the Democratic party and the proud privilege

it was, even though expensive, to be eligible to fellowship therein. So far, apparently, from crediting the accusations of wrong-doing publicly alleged against those who were conducting their municipal affairs, the citizens generously voted them a new lease of power. And now, a few months thereafter, they were startled with the disclosure that many millions had been stolen from their Treasury, even after the vulgar manner of a forger or a burglar, by those whom they had favored and honored, and that, besides, there were probably many millions more of fraudulent claims which they must saddle—all of which threatened fatal disturbance to business, depreciation to real estate, suspension to enterprise, bankruptcy to the City, and ruin and poverty to thousands. Men felt that their real estate, the accumulation of years, was slipping away from them; merchants saw, or thought they saw, an approaching paralysis in business; the small trader, the hard-working and thrifty mechanic, the deft artisan, the insecure laborer, in fact, all, in every avenue of trade and commerce and employment, realized that a severe crisis was at hand. Yet there was no evidence of anything further than a great moral convulsion. The people generally, having heard so much of the efficacy of their laws and institutions, and knowing so little of the nature or extent of the plunderers' stronghold, reasoned that the thieves would be easily arrested and sent to prison like other malefactors.

But there were a few men who looked further and could see how difficult was the task of even checking, not to speak of ending, the career of the plunderers.

On the night following the memorable meeting at the Cooper Union on the 4th of Sept., 1871, eight prominent citizens met secretly by appointment at an uptown hotel to consider the phases of the situation. There was John Cobert, an extensive real estate owner and one of the heaviest taxpayers of the city; Joseph W. Hazlen, a successful and

wealthy lawyer; R. A. Hunter, a banker; James Whitten, the President of a Life Insurance Company; James T. Walter, a retired merchant; Isidor Sendleberg, a large manufacturer and real estate owner; George T. Benster, a former Judge and a lawyer of high standing. The name or business of the eighth gentleman present, I have not been able to ascertain.

It is difficult to believe it, at this distance of time, but the purpose of several of those who assembled, and who went behind closed doors, was the formation of a Vigilance Committee on the lines which governed a similar body in San Francisco, in 1849, which, whether its methods were right or wrong, drove from that City the bands of thugs, thieves and robbers, who had infested and terrorized the community.

Doubtless you have observed, my dear Dean, how liable we are to be deceived by the appearance and ordinary manners of men; how those who are of a quiet, calm and conservative temperament in the everyday concerns of life, often become the most emotional in times of excitement; while, equally often, the mercurial nature, which boils up in commotion over trivial incidents, is subdued and awed in the presence of portentous movements. The meeting on the 5th of September, 1871, at the uptown hotel in this City gave an example of this.

No man had a higher character for integrity, self-poise and peaceful methods, in all of his relations in life since he had begun to practice his profession twenty years before, than lawyer Joseph W. Hazlen. Yet Mr. Hazlen, in speaking to the suggestion that extreme measures be adopted (which meant hanging to lamp posts, or other convenient scaffolds, the four chief malefactors together with three or four Judges) addressed the following words to his seven anxious companions:

"Where else can you turn for a remedy? They hold everything within their grasp. Every head of Department in our City is their creature. Every employé of our government is their slave. Fifteen thousand hirelings, who never perform work, and indeed who have no work to perform, are on the City pay-roll, as a prætorian guard around the Chief Boss, to do any act or deed he may command. Can you stop this waste of your money? Can you draw back the hands that are now plunged up to the armpits in the Treasury? Can you stop Tweed, can you stop Connolly, can you stop Hall, can you stop Sweeny, can you stop the coterie of favorite contractors all dripping with the wealth that they have stolen from you and from me? Can you go to the Grand Jury, which is filled with their tools? Can you go to the District Attorney, who is their pliant servant? Can you obtain protection from the police, who are these men's bodyguard? Can you call upon the Governor of the State, who extols the virtues of Tweed, the purity of Hall, the brains of Sweeny and the charming simplicity of Connolly? Can you, in fine, appeal to our Courts? If so, where? Get an order from some honest Judge—Barnard will vacate it. Get another—Cardozo will vacate it. Get a third, and Ingraham will 'modify' it. (This last hit provoked a smile.) Appeal, and the General Term will, in turn, sustain Barnard and Cardozo and Ingraham—who compose the General Term! Appeal in such case to the Court of Appeals, and by the machinery of the Courts in this City. that appeal will be hampered and delayed, and long before the case will reach that tribunal, the City will be in financial ruin."

Coming from Mr. Hazlen, such words had a profound effect on those assembled, and a painful silence followed. At length former Judge Benster arose, his face pale with thought, and, after a considerable pause, began:

"While I cannot for a moment sanction the slightest departure from legal and constitutional proceedings in this grave matter, it is difficult to resist being impressed with the array of damning facts presented by Mr. Hazlen, than whom none is ordinarily more conservative. He must, indeed, be deeply moved when he gives utterance to sentiments so foreign to his natural instincts. When he has been thus disturbed from his usual calmness, it shows on what a volcano we stand. But, while I cannot gainsay much that has been urged by him, I am still a believer in the irresistible force inherent in our legal and political system. Whatever way, under God, we may be rescued, it must be by the law, or we will only add to our disgrace, not to say worse. At all events, let us first have recourse to the law, before even a whisper is

heard that men of thought and education and high standing in the community have lost faith in the efficacy of our institutions."

This wise utterance had a marked effect, even upon Mr. Hazlen himself and others who thought with him, when Mr. Walter, who had been retired from business for some years, said:

"About twenty-two years ago, I was a member of the Vigilance Committee in San Francisco. It was an organization formed without the sanction of law; in fact, it was in violation of law, yet it accomplished there what the people were unable to effect in any other way. We really had no law to aid us against the band of thieves and cutthroats who robbed and even murdered. But here we have laws which, if enforced, give us ample remedy."

Then Mr. Whitten spoke:

"It is true that we have laws, but, as observed by Mr. Hazlen, the Courts refuse to enforce them. Then our remedy is clearly against the Judges who refuse. In two months from now will come an election for Members of the Legislature. Let us bend all our efforts to agitate for the election of Members of the Legislature who will impeach, next Winter, the corrupt Judges of this City and remove them from office. Let us give of our means and our time to accomplish this great work. In the meantime, let application be made to the Courts for injunctions and other remedies to tie the hands of the plunderers, and let the Judge or Judges who refuse the demands of the people to protect their property, and who have already degraded the Bench, be dealt with as they deserve."

This course was determined on and the gentlemen separated.

Speaking of the suggestion of a Vigilance Committee, the following editorial from an ably edited paper, *The Nation*, of September 2, 1871, is ample evidence that such a proceeding was uppermost in the minds of many citizens at that time:

The *World*, we are sorry to see, was a good deal shocked by our views on a Vigilance Committee, apropos of Hall, Connolly, Tweed and Co., expressed last week, and seems to think we desire to see these gentlemen "lynched." "Lynching" is, however, here a question-begging term. What we say is that, in our opinion, Hall, Connolly,

Tweed, Barnard, and all the class to which they belong, and of which Louis Napoleon was the most conspicuous member, fear no penalty for their misdeeds except a violent death. They are indifferent to public opinion and have matters so arranged that the prison pen has no terrors for them, and a natural death they calculate on. But the prospect of a violent death, which would suddenly stop their champagne, knock the satin sofas from under them, shut out the velvet carpets from their view, cause their fast horses to vanish into thin air, and launch them into the cold unknown, would terrify them exceedingly ; and such a death, we repeat, a large and growing body of respectable citizens think they ought to die—first and foremost, in order to stop their thieving and rid the community of them, and secondly, to prevent an unwholesome influence on public and private morals of the spectacle of the peaceful close of their career in the enjoyment of their stealings.

The way in which good citizens justify this view of their deserts, is the way in which they justify all revolts against unsupportable tyranny, and all inflictions of punishment on persons who have grossly abused power for the injury of their fellow citizens, and against whom the law affords no redress. But where they err, in our opinion, is in supposing that justice can be done on Tweed and his associates through what is commonly called Vigilance Committee. An appeal to force, in New York, would mean civil war ; and those who talk of appealing to force must make up their minds to civil war, and must be prepared for some fighting. Should they succeed in securing the persons of the malefactors, and in bringing them to punishment, their act will, however, be no more lynching than the execution of Robespierre and Rigault was lynching. It might be called high-handed or cruel, or remorseless, or various other things, but it would have in it a solemnity which in Lynch law is wanting.

On the morning of the 7th of September, two days after the meeting which discussed the formation of a Vigilance Committee, former Judge George C. Barrett, who had been six years Judge of the Common Pleas of this City, and who was only retired from that Bench a year, and who has been since 1873 a Justice of the Supreme Court, walked into the Supreme Court, armed with a pile of legal documents, and boldly demanded from Judge Barnard a sweeping injunction, tying up almost the entire machinery of the City government.

The suit he had on hand was brought in the name of

John Foley, a taxpayer, on behalf of himself and the other taxpayers of the city. The complaint in substance alleged that $30,000,000 were raised by taxation within the year, and that this sum was more than sufficient to pay the current expenses of the City government, and yet that the City officials were still raising and threatening to raise large additional sums on the bonds and stocks of the City. The documents presented gave an array of doings not sanctioned by law, and showed that claims had been paid and others were about to be paid without proper and legal audit, and asked for an injunction against the Comptroller to restrain any further payments of money until the validity of these payments should be established and properly and legally audited.

Ex-Judge Barrett, although his application was *ex-parte*, was permitted to make a lengthened argument, to which Judge Barnard listened, not only with patience, but with attention. The news of the application spread rapidly to the corridors, and then to various Departments of the City Government, and inside of a few minutes the Court room was crowded with anxious politicians. Most of them muttered their surprise that Judge Barnard would listen so attentively to the "treasonable" language of ex-Judge Barrett, and that the papers were not flung back in Barrett's face long before. Barnard listening so respectfully, too, while Barrett talked of the apparent frauds of high officials; what could it mean? "Oh! but wait till he gets at them," whispered a man with a husky voice. "Yes," said his neighbor, "but did you hear the question he asked Barrett?" "That's all right, but that's only to throw him down the harder," rejoined the man with the husky voice.

But Judge Barrett, warming to his subject, became more aggressive; in fact, he was very bold in voice and manner. What was then in Judge Barrett's mind? Ordinarily, he knew, he could expect no justice from Barnard in such a

case. Was his attitude one of menace to a man whom he believed to be a great wrongdoer, and was he gambling that Barnard would weaken before an aroused public conscience; or had he an intimation that Barnard was informed of the secret meeting at the uptown hotel and of the determination to try, as a first remedy, to obtain an injunction from the Court, and that, on its refusal, some other action would be taken? However this may be, Judge Barnard was wrapped in grave thought as Judge Barrett proceeded with his crushing array of facts and figures; and at the close of the argument, Judge Barnard, instead of taking the papers (as is customary) for examination and consideration, promptly said: "The facts presented warrant an injunction. I will grant the order."

Those assembled were astounded, and evidenced their surprise according to their feelings of delight or dismay. Perhaps the most surprised of all was Judge Barrett himself, although he did not show it then. Out into the corridors, out into the street, everywhere, in public office, private offices and business houses, the information spread like a prairie fire, that the wheels of the City government were tied up and clogged by a great spike from Judge Barnard's pen. The atmosphere around the City Hall was in a ferment. Office-holders, high and low, rushed towards each other, and asked, what was the matter with Barnard, to grant such an order. Some denounced him, some muttered curses, some said nothing, but each looked as if he had just heard of a sudden death in his family. Everything was disorder, worriment and dismay. A confidential official in the Finance Department rushed over to Tweed and asked him to explain. "I can't understand it," said Tweed; "Barnard and myself were together last night, and we talked over matters." That was all. Was he at the bottom of it? Or was it Hall? Or was it Sweeny?

Judge Cardozo was asked about it. He shook his head

and blushed for Barnard. Mayor Hall was sought, and he said, flippantly, "Nonsense! Not a word of truth in it. Romance! Is it really a fact? Well, then, 'tis one of Judge Barnard's stereotyped jokes. Foley and Barrett think they will plant the nettle of danger in the Court House, but from what I know of farming, I think we shall pluck the flower of safety from it." After a pause he continued: "This will give us a dignified opportunity to make a full response to the romancing on that subject in the papers." Then he became very grave, as he proceeded:

"The object of this movement is far reaching. Jones of the *Times* visited General Grant [then President of the United States] at Long Branch, and a client of mine heard Jones say, on the Long Branch boat, that they were going to throw our Municipal Government here into chaos, so as to lay the foundation for calling upon the General Government to upset us here, and appoint a Provisional Mayor, as they appoint Military Governors in the South. But I will, in spite of all, fill out my term—I have a year and a half yet to serve—and I will be a candidate for re-election."

That afternoon Comptroller Connolly, who tried to look cheerful, was asked: "Have you been served with the injunction papers?" Connolly (trying to think a moment) "Oh, yes, but I sent them over to the Corporation Counsel without reading them. That's what I always do with these little things." [Slippery Dick!]

Tweed next day held an imposing levee at his office in the Public Works Department. Judges, Congressmen, Senators, Assemblymen, Aldermen, bedecked with great diamonds, assembled to do him special homage, so as to emphasize their unshaken confidence in him.

The manner in which Tweed received news of Barnard's injunction is thus told in the New York *Sun* of September 9th, 1871:

He (Tweed) looked quite delighted when he saw the *Sun* reporter. His bright large eyes sparkled, when he said, in his cordial, frank manner, "How are you? Glad to see you."

Reporter: I am sorry to interrupt you.

Mr. Tweed: Not at all, we were just talking about the injunction.

Reporter: What do you think of the matter, Mr. Tweed?

Mr. Tweed: Oh, I don't think it can stand; it was just served on me.

Reporter: Have you read the paper? The application was very ably prepared.

Mr. Tweed: Oh, any man can do that. We had no notice of it whatever, you know.

Reporter: You don't seem to be very much downcast?

Mr. Tweed, laughing: I, pooh! I am not afraid. What do I care? They'll find me here.

Reporter: I saw George Jones (editor of the N. Y. *Times*) yesterday; he feels rather exulting about it?

Mr. Tweed (contemptuously): Yes, I suppose he does. They think it's a good thing, probably. I would have fought out this thing differently, if I had been alone (with emphasis); yes, sir, I wouldn't have been so quiet, I can tell you.

Reporter: Did you read the *Nation*?

Mr. Tweed: No.

Reporter: You know they are going to have you hanged?

Mr. Tweed: He's an infamous liar. The man that wrote that knows he told a lie, and that he wouldn't dare to tell me so to my face (After a pause). I was born in New York, and I mean to stay here, too.

Reporter: You don't seem to be afraid of a violent death. Are you?

Mr. Tweed (stamping his foot): Well, if they want to come, I'll be there. That's all I have to say about it, I'll be there, I'll be there, sir (with a smile). The *Times* has been saying all the time I have no brains. Well, I'll show Jones that I have brains. You know, if a man is with others he must do as they do. If I had been alone, he would have a good time of it. But, you know, if a man is with others he must take care not to do a rash act. It would hurt them all, you know.

Reporter: What do you think of repealing the Charter?

Mr. Tweed: Well, if they can show us that the people want to have it repealed, we'll repeal it; but I don't believe they do. I tell you, sir, if this man Jones had said the things he has said about me, twenty-five years ago he wouldn't be alive now. But, you see, when a man has a wife and children he can't do such a thing (clenching his fists). I would have killed him.

On September 22, 1871, a couple of weeks after the great meeting in the Cooper Union and the granting of the injunction by Barnard, Tweed was honored and gratified by many manifestations of confidence from his friends. Among

the many complimentary resolutions tendered him was one from the Central Tweed Club, which was formally presented and read to him by Randolph Guggenheimer, who headed a delegation from the Club. Mr. Guggenheimer is at the present time the President of the Municipal Council of Greater New York. The resolution was as follows:

Resolved: "That we unanimously and emphatically reiterate our firm and unabated confidence in the personal and official integrity of the Hon. Wm. M. Tweed, and hereby pledge to him our undivided and determined support, hoping and believing that he will emerge with honor from the clamor of abuse and detraction which at this time calumniate his name."

Following up their first advantage, the leaders of the Committee of Seventy sought, as the next best move on the chessboard, to divide the Ring and create dissensions among its members. It was slyly intimated that, at least, Connolly should resign the Comptrollership, in order to appease the public, he having custody of the public funds. But Connolly refused to be made a scapegoat. There was a meeting of the Ring—Tweed, Sweeny, Hall and Connolly. All looked anxious and careworn. Hall's sweetest sophistry was tried on Connolly. It was pointed out to him that his resignation would relieve the strain, and he was promised anything else in their gift "after a little while." But Connolly was obdurate. When the programme leaked out, his followers clustered about him in strong numbers and bade him stick to the last.

This tension continued for three days, when an event occurred which again startled New York. On Monday evening, September 11, the Comptroller's office was broken into, and a large number of vouchers and County warrants were feloniously abstracted. William Murphy, the night watchman, went uptown to supper; when he returned the deed had been done.

This settled Connolly, in the judgment of Hall; and the next day he wrote Connolly, asking for his resignation,

Under the circumstances, he surely could not refuse now? But he did; and what is more, he implied, if he did not openly charge, that Hall had planned the burglary in order to force him out. Connolly explained that the missing vouchers and warrants were not necessary to any investigation into the affairs of his department, or to the establishment of any fact in a Court of law, because duplicates of them were kept in the Broadway Bank. Next day there was another meeting of the members of the Ring. Connolly was urged again to resign, by Hall and Sweeny, but not by Tweed, who suspected that, if Connolly went by the Board, he himself would go next. He had learned that Hall and Sweeny, the night before had been in consultation with Tilden and Belmont. Hall and Sweeny were considered the "respectable" members of the Ring, whose best endeavors could not check the rapacity of Tweed and Connolly. Tilden and Belmont wished to hush up the scandal, "for the good of the party" all over the country; immolation of the two arch-plunderers (Tweed and Connolly) upon the altar of public indignation would be satisfactory to these statesmen, and then, of course, to everybody. So Tweed looked askance, and did not bring the great force of his persuasive powers on Connolly to resign. Failing in persuasive eloquence, Hall now began to threaten Connolly with all sorts of things. Whereupon, Connolly lost his temper, so far as "Slippery Dick" could lose it, and told his associates that they were "all in the same boat," and they must sink or swim together.

Now came rumors and counter-rumors of indictments. Judge Barnard had another opportunity of doing some fine work. An application was made to modify the great injunction, which he did in some respects, to allow payments to employees of the City government, and other matters, but in his opinion he made what was intended as a crushing denunciation of Connolly, which was as much as to say:

"If this does not drive him out, nothing will." For some reason he also gave a broadside to Hall. No one could very well understand this zigzag fight. At one time, Hall, Tweed and Sweeny against Connolly; then Tweed partly siding against Hall and Sweeny; then Barnard, Tweed's former factotum, assailing Connolly and to a degree, Hall, leaving Tweed and Sweeny, so to speak, on top. No one knew what this meant, or the cause of it, except perhaps the shrewd manipulators of the Committee of Seventy—Tilden, O'Conor, Peckham, Barrett and others, whose policy was to "divide and conquer."

With all his cleverness, Judge Barnard was used like a manikin by the brainy men who directed the movements against the Ring. Indeed, he was now termed by some newspapers in their interest "a fearless and incorruptible Judge." One year later, these same men and these same newspapers procured his impeachment, removal and disgrace. Connolly, now driven to bay, made such a flank movement to circumvent his enemies, as to fully justify the name of "Slippery Dick." He sought William F. Havemeyer, chairman of the Committee of Seventy, and together they went to Mr. Tilden's house. Andrew H. Green was sent for. Then and there certain documents were prepared, one removing Deputy Comptroller Storrs, the other appointing Andrew H. Green Deputy Comptroller for four months. Green went to Judge Barbour's house and took the oath of office. On the following Monday morning, September 18, 1871, Andrew H. Green took possession of the Comptroller's office. This *coup d'etat* threw Hall, Tweed and Sweeny on their beam-ends. It acted like a bombshell in political circles. Mayor Hall, utterly demoralized, forthwith sent to Connolly an official notification that he regarded his delegation of authority to Andrew H. Green as "equivalent to a resignation, and," he added, "I hereby accept your resignation."

Then, as if he caught a new idea, he says, in the same communication, that he thinks he has power to remove him absolutely; and, "therefore, to save all question, I hereby remove you from the head of the Finance Department." When this letter arrived at the Comptroller's office, there were present: Andrew H. Green, Richard B. Connolly, Charles O'Conor, Samuel J. Tilden, Wheeler H. Peckham, William F. Havemeyer, William A. Beach, Judge George C. Barrett and Samuel G. Courtney, and when Mayor Hall's official communication was read, it was greeted with loud, long, and hearty laughter, which was heard distinctly in the outside offices by the clerks and other officials, who, without knowing why, laughed heartily themselves, possibly intending it as a sort of pæan to the new power. Those inside were laughing at Hall, and those outside were laughing at him, too, but they didn't know it. Then, after a few minutes, came another document from the Mayor, sent to all Departments, as follows:

MAYOR'S OFFICE, CITY HALL,
NEW YORK, September 18, 1871.

"SIR:

I am directed by the Mayor to inform you that he does not recognize either Richard B. Connolly as Comptroller, or Andrew H. Green as Deputy Comptroller or Acting Comptroller.

Very respectfully,
CHARLES O. JOLINE,
Chief Clerk."

When this was handed in to the Comptroller and read, there was another loud burst of merriment. The great lawyers and politicians were laughing at Hall again.

Then Mayor Hall, with the rapidity which characterized all his movements, appointed General George B. McClellan Comptroller, and published it to the world. Then, for a time, the matter began to look serious. Would the Mayor, through the police, force an entrance, with McClellan at the head? Everything was topsy-turvy.

Messengers were running hither and thither. The Mayor was working at his desk with desperation. Great crowds were assembled at the foot of the stairs leading to the Comptroller's office, and more were every moment arriving. They were principally members of the St. Patrick's Mutual Alliance, Connolly's pet organization. The situation was known in Wall street, and stocks were affected. The Ring, or rather now the Triumvirate, of Tweed, Sweeny and Hall, were again welded together for mutual protection, believing that Connolly, now in the hands of the Philistines, would, unless prompt action were taken, turn over all incriminating documents to the authorities. It was a desperate moment and their only safety was a forcible entry, or an injunction against Connolly and Green from some Ring Judge. This latter course was decided upon; but while the papers were being prepared, information of their intention reached the Committee, in the Comptroller's office; for, it appears, both sides had their spies. It was not long before word was brought to the Ring Judges that, if anything of that kind were attempted, a public disclosure would be made of certain doings which would inflame the public. This so terrified the Judges that they refused to interfere, fearing a popular uprising. In the midst of the excitement, the Presidents of ten different Banks called upon Acting Comptroller Green, and offered to back him up in every respect. Besides, a number of prominent merchants and other business and professional men called, and said that if any illegal interference was attempted with Green, as the custodian of the public funds, a Vigilance Committee of the most respectable citizens would be immediately formed. A large force of armed men was selected to garrison the Comptroller's office and guard the books and papers during the night, and for a time excitement was at the highest pitch.

Then Charles O'Conor's law opinion, which was semi-

officially asked for in writing by Samuel J. Tilden, as Chairman of the Democratic State Central Committee, was published, in which he conclusively showed that Mr. Green's appointment was absolutely legal, and that neither the Mayor, nor any appointee of his, had any authority in law to interfere with him in the discharge of his public duty.

This seemed to settle the controversy—for George B. McClellan not only refused to be a party to enter the office by force, but he now even declined to be sworn in.

Various rumors were afloat, one of them being that Mayor Hall had gone stark mad, and had to be held down by four strong men, who took him home in a carriage.

The City was in arrears to many employees for several months, notwithstanding the $30,000,000 raised for the running of the City government, and these now began to hope for speedy payment, so that the taxpayer and the tax-eater joined hands, for once, but from different motives, in welcoming into power the same administration.

LETTER XXXII.

COMPTROLLER CONNOLLY'S MILLIONAIRE WHITEWASH THE ORANGE RIOT, ITS CAUSE AND SERIOUS RESULT—' WONDERFUL HOUSE THAT TWEED BUILT"—WHEN TAM HALL WAS CLOSED TIGHT ON AN ELECTION NIGHT—I MENTS OF THE "UNTERRIFIED" TRYING TO BRACE OTHER UP—DYING THROES OF A REMNANT OF THE T RÉGIME—ALDERMANIC ATTEMPT TO IMPEACH THE M —HOW THE WOULD BE "HOLD-OVERS" WERE GENERALLED BY JUDGE ABRAHAM R. LAWRENCE—E TION OF A NEW TAMMANY BOSS.

MY DEAR DEAN:—

I believe it is when Saturn is in the ascendant, that a ogists predict the occurrence of all sorts of dire calami and, if this be true, it would seem that that baneful p must have "had one eye" at least on New York Hall and the New Court House at the beginning of 1871, giving special attention to what was known a Tweed Ring. "Whom the gods wish to destroy first make mad," had its verification at about this period; for it was the suspicious and reckless char of the legislation of that year, which first seri aroused public attention to the rascally transactions o "inner circle," so supreme in power at the beginning o year; and which induced Comptroller Connolly, in ponse to the attacks of the press, shortly after the adj ment of the Legislature, to invite a committee of millionaires, Messrs. John Jacob Astor, Moses Taylo Marshal O. Roberts, to come to his rescue and "sav credit of the City" by examining his accounts, and thu fute the slanders that had been circulated. These ge men accepted in good faith the books of accounts sl

them by Comptroller Connolly, and gave him as good a coat of whitewash as a practical joker, some thirty years previously, had hired a darky to give the City Hall—when the darky artist and a colored associate put a coat of lime over all the brown-stone base on one side of the building before they were arrested. In view of the fact that a few months thereafter the books of the Comptroller's office disclosed the startling figures, that millions of dollars had been stolen from the City Treasury, the deception practised on these able and prominent citizens by "Slippery Dick" was the subject of universal comment, and, had it not been so serious a matter, would have provoked universal laughter.

But Mr. Connolly was an expert bookkeeper.

Mayor A. Oakey Hall, (who in earlier days had been a so-called "Know-Nothing," or an active member of the Native American party; afterwards a semi-Republican; then an Apollo Hall or anti-Tammany Democrat, with Mr. Wm. C. Whitney; and who finally found himself, through Mr. Tilden's influence, a District Attorney, elected by the votes of Tammany Hall,) had on the seventeenth day of March, 1870, evoluted into an "apostle" of the Irish Societies, and reviewed their parade from the City Hall, dressed (as I have before stated) in an elegant suit of green, with a sprig of shamrock for a boutonnière; which performance he repeated, with some modifications, on the 17th of March, 1871. Two or three lodges of "Orangemen" had received permission from the Police Commissioners, as usual, to parade on the 12th of July of that year. There had been numerous threats of disturbance, and Archbishop McClosky, and in fact all the Catholic clergy had used every possible effort to prevent any interference with the proposed Orange demonstration, should the parade take place. Perhaps, with the best of intentions to preserve the peace, mingled

with the natural desire of a politician to invoke toward the then tottering Ring the more steadfast sympathy of the Irish portion of the community, Mayor Hall had, after a prolonged consultation with Police Commissioner Henry Smith and General Alexander Shaler, commander of the First Division, N. Y. S. National Guard, induced Superintendent of Police Kelso to issue General Order No. 57 to the several police captains in the city, in which after a lengthy discussion of the inadvisability of such a demonstration as contemplated by the Orangemen, "in perpetuation of foreign feuds," he concluded as follows:

"You are ordered to prevent the formation or progression of the public street procession, on the 12th instant, and of all processions under pretense of target practice. You will also on that day impartially keep all the streets cleared from groups and assemblages of every class of citizens, whether sympathizing with or against the proposed procession, or whether they are lawlessly disposed or otherwise."

Great was the public indignation at this action on the part of the Mayor and Police Commissioners, not because of popular sympathy with any demonstration calculated to inflame animosities begotten of differences in religious creeds, but because it was regarded as a surrender of the right of assemblage at the dictation of a religious and political society. On the one hand, it was contended that no Orangeman is eligible to American citizenship while retaining membership in the Orange Society; and that consequently the Orange parade, accompanied with banners and music deeply offensive to a large portion of the City's population, was a direct challenge to a breach of the peace. On the other hand, it was firmly held that, no matter how distasteful might be the display, it must not be prevented by intimidation or other mob methods. Adopting the latter view, Governor Hoffman immediately countermanded the edict of Police Superintendent Kelso, stating, in his proclamation, dated New York, July 11th, 1871:

"I hereby give notice that any and all bodies of men desiring to assemble and march in peaceable procession in this city, to-morrow, 12th of July, will be permitted to do so. They will be protected to the fullest extent possible by the military and police authorities."

Acting in accordance with Superintendent Kelso's manifesto, most of the Orangemen had arranged to celebrate the day in New Jersey; but 160 men of Gideon Lodge, taking advantage of the permission given by the Governor, paraded in this city. They were escorted by numerous policemen and by four regiments of militia—the Seventh, Ninth, Twenty-second and Eighty-fourth. The streets were lined with spectators. When the procession reached Eighth avenue, between Twenty-fourth and Twenty-fifth streets, a shot fired from a tenement house was the signal for a general onslaught by a mob gathered there, composed of "Ribbonmen," scattered among whom, as is always the case on occasions of turbulence, were many of the dangerous classes of the community. In the mêlée, pavements were torn up and chimneys pulled down for material for assault, and bricks and stones were rained upon the procession. But there were no signs of retaliation until private Page, of the Ninth Regiment, was shot, the top of his skull being blown off, when orders to fire were given and a volley of bullets flew in the direction of his assailant. The contest then was sharp and decisive; the mob was dispersed, and the procession soon afterwards disbanded. In this conflict, two soldiers and one policeman were killed, and twenty-six policemen and soldiers were wounded. Of the rioters, forty-four men, besides a woman and a boy, were killed, and sixty-one wounded. Of course, the excitement throughout the city was intense, and Mayor Hall was severely condemned by all classes, it being generally believed that his over-officiousness led to the serious results; whereas, without his intermeddling, all this might have been avoided, and only the usual disturbance incident to

such demonstrations, up to that time successfully managed by the police, would have followed.

The Orange riot and its serious consequences, in connection with the sensational figures of alleged robberies by the Ring and its thieving adherents, led to the culmination of popular ire which I have described in previous letters. I have avoided tiring you with tabulated statements of the rapacities of the Ring; but I may mention here, *en passant*, that, during the years 1869, '70 and '71, according to the Ring's acknowledgment, no less a sum than $8,223,579.89 had been expended on the New Court House, fronting on Chambers street, while the authorized appropriation by the Legislature amounted only to $1,400,000! In the neighboring city of Brooklyn—now a part of Greater New York—there was built, between the Fall of 1861 and 1865 (the period of the Civil war, when work and materials were at their highest,) a Court House almost as large as the New York building. The structure in Brooklyn was of marble, brick and iron, and the internal furnishing was in most respects equal and in many respects superior to that of the New York Court House. The original cost of the building in Brooklyn was $551,758.28, and the cost up to 1871 was $745,601.54. Up to the same date the cost of the then unfinished New York Court House was sufficient to build *not less than sixteen such Court Houses as that of Brooklyn!* The monstrous outrage on the taxpayers of New York City induced a wag to issue a pictorial satire on the New York Court House, in 1871, calling it "The House that Tweed Built," of which the following is a sample stanza:

"This, sir, is Sweeny, Peter B.,
In the plastering deepest of all the three—
Sweeny,
Garvey, and
Connolly,
(Otherwise known as "Slippery Dick")—

Who controlled the plastering laid on so thick,
From roof to cellar, on wood and brick,
In the wonderful House that Tweed built."

But Tweed was not the only one who built costly houses. Richard B. Connolly, then Comptroller, built himself a magnificent mansion on Fifth avenue, corner of One Hundred and Thirtieth street, now owned and occupied by Jordan L. Mott, son of the founder of the village of Mott Haven, north of Harlem River; Henry W. Genet, who, as State Senator, so bitterly fought against the Ring, in the cause of the Young Democracy contest of 1870, but who had been "pacified" by receiving the privilege of superintending the construction of a District Court House in Harlem, managed, according to charges made, to get almost enough material out of the job to help him construct for himself a capacious brown-stone house on Fifth avenue and One Hundred and Twenty-sixth street, with a large brown-stone stable adjoining on the side street. Regard for the impartial truth of history requires me to add that this latter statement was flatly denied by Genet, nor were the charges substantiated at his trial. But the Senator did not enjoy the pleasure of occupying his palace. He was arrested, under the pressure of the Committee of Seventy, convicted, and while in charge of a deputy-Sheriff who escorted him to see and bid good-bye to his wife escaped. After having been for nearly three years a fugitive from justice, he delivered himself up and was then sentenced to a year's imprisonment and a fine of about $10,000,—which sum was made up by a subscription among his friends. But, as misfortune seemed to follow every move he made, he became sick and discouraged, and did not long survive his release.

I need not say that such a condition of affairs as has been shown in my letters, was eagerly utilized for political effect by the Republican party, not only in this City, but through-

out the State; and the Democracy, made responsible for the rapacities of a few selfish leaders, was swamped at the ensuing election. In the Senate which sat in Albany, at the adjournment of the Legislature in 1871, were seventeen Democrats. Throughout the entire State, in the month of November of that year, there were elected only seven Democrats, of whom Tweed was one; and, instead of the twenty Tammany men who had occupied seats in the Assembly Chamber, only six were elected in November of 1871. Consequently, in place of the usual illumination and jollification over the receipt of election returns, Tammany Hall was, on this election night, as dark as pitch. The crowd which had gathered outside, waiting for the doors to open, looked on and wondered. "Ain't this hall going to open to-night?" inquired an impatient outsider of the janitor of the building, who had been brought to an open window by tremendous and incessant pounding on the outer doors. "No, sir," replied the janitor; "the announcement of returns will be made at Police Headquarters, and the hall will not be opened to-night. Please, notify your friends outside." "Well," exclaimed the applicant for admission, "of course that means we have been beaten out of sight. If we have, it was by ploughing with a Democratic heifer [Tilden] that the Committee of Seventy have succeeded in betraying the Reform movement into the hands of the Republican Philistines." The comment of this "unterrified" Democrat was correct. The locks of the Democratic Samson were shorn, while reposing in the arms of the Republican Delilah.

On Friday, Dec. 20, Tweed was arrested in his office by Sheriff Matthew T. Brennan under an order of Judge Learned, of Albany, based upon an affidavit of Samuel J. Tilden in a civil action brought against Tweed by the State for the recovery of $6,000,000 which, it was alleged, he had stolen from the City. On the same day he sur-

rendered his office of Commissioner of Public Works to the Mayor, George M. Van Nort, then connected with the Park Department, being appointed to fill the vacancy. On the same day, too, he resigned as a Director of the Erie Railway and also as Grand Sachem of the Tammany Society.

A fragment of the now thoroughly demoralized Tammany Hall General Committee assembled on the call of the Secretary, at the instance of several prominent members, on the evening of December 29. A chill seemed to pervade the meeting something like that which attends a funeral; but, after a brief talk, some of the members present mustered courage enough to prepare, and present for consideration of the assemblage, the following preamble and resolutions:

Whereas: The fact that grave charges of fraud and corruption have been made against prominent leaders of the Democratic party, through the public press, and the proceedings of the courts, familiar to all; and,

Whereas, the organization of Tammany Hall, of which these individuals are members, feels deeply the opprobrium their conduct has brought to it, and while it regrets that they should have so far forgotten the obligations resting upon them in the high positions to which they had been elevated through its power and influence, as to bring disgrace upon themselves and the Democratic party, yet we cannot for a moment admit that the sins or crimes of a few persons connected with it should be allowed to work the destruction of the organization, or paralyze its usefulness for the future; therefore, be it

Resolved, That we deem it necessary to the interests of the Democratic party of the State and country that the organization known as the Tammany Hall General Committee should continue to be the regular Democratic organization of the City and County of New York.

Resolved, That we are in favor of a thorough reform in the administration of our municipal and State governments, and also of a radical reform in the Federal government, to the end that the rights and benefits designed to be conferred by governmental organization may be enjoyed by all, while economy and integrity shall mark the administration of each and every department of the same.

Resolved, That while we in the strongest terms condemn those who have used the power of their offices to deplete the treasury of the City and County, and have thereby imposed increased burdens upon the

people, we at the same time commend the exertion of all men who, v
a desire to benefit their fellow citizens, have devoted their time
energy in exposing and stopping the sluiceways of fraud and ext
agant expenditure.

Resolved, That we hereby pledge ourselves to give all the aid in
power to perfect a thorough and radical reform in the administra
of our City and County affairs.

The resolutions were unanimously adopted and a call
issued for the election of a new General Committee for
ensuing year.

There was quite a squabble at this meeting, which
participated in by Aldermen Plunkett and Woltman,
Judges Connolly and Dodge, Judges Dowling and Sha
ley, Park Commissioner Fields, Assemblyman Den
Burns, Martin J. Keyes, and other prominent men in
party, over the appointment of inspectors of elect
—always such an important factor in Tammany Hall—
it was soon adjusted, and it bore evidence of the fact t
the old machine "was not dead yet."

This meeting of the Tammany Committee was follow
the next day, by a special meeting of the Sachems of
Tammany Society; and, on motion, Augustus Schell
prominent and wealthy lawyer, was elected Grand Sach
vice William M. Tweed, resigned.

A great solar eclipse had been predicted for Decem
1871. There could not have been a greater political ecli
than that which was now experienced by Tweed. Less t
six months previously his power in New York City
supreme. Now he had divested himself of every mu
cipal position—not yet, however, of every "pull"—
retained the office of State Senator.

It may be a matter of surprise why, having surrende
his municipal office and his directorship of the Erie R
way, he had not also surrendered the office of State Sena
Had his purpose been to prove his willingness to aban
all further political aspirations, he most certainly wo

have sent in his resignation as State Senator. But Tweed had not yet given up hope of recovering his lost prestige and power. With an affected submission to public sentiment, he adroitly resigned the office of Commissioner of Public Works, as the one most conspicuous before the public gaze, in order to appease public clamor, and lull public apprehension; but he retained the powerful office of State Senator so as keep himself in a position of advantage after the storm should have blown over.

New Year's Day, 1872, presented to the citizens of New York City another sensation, and one of such peculiar character that I think it is well worth recording.

The charter of 1870 contained a provision that the term of the Boards of Aldermen and Assistant Aldermen then in office should be extended to the first of January, 1872, and that they should then be appointed by the Mayor to hold office until the following June. Thus instead of submitting to the usual election in the Fall, they were by this legislation to be continued in office five months longer than their elected term. There being some doubt as to the constitutionality of this provision of the charter, the Reform Party of 1871 determined to and did elect, in the Fall of that year, a new Board of Aldermen and Assistant Aldermen, and, if need be, test the constitutionality of this provision, as the only way to get rid of the existing remnant of the Ring. The new Board of Aldermen, by advice of counsel, resolved to take possession of the City Hall at noon on January 1st, 1872, and the old Boards had determined to prevent it. Judge John R. Brady, of the Supreme Court, had issued writs prohibiting the old Common Council from exercising the functions of their office after the day and hour named, and the members of the old Common Council had decided to disregard the action of the Court, and hold fast to their positions until the following June, when, as they contended, their terms would expire.

The old Boards assembled at nine o'clock in the morning, the Aldermen in their chamber, and the Assistant Aldermen in theirs. The new Boards had established headquarters in the Governor's Room, City Hall. The writs of prohibition issued by Judge Brady had not yet been served on the old Aldermen, and the counsel to the new Board, Henry L. Clinton, and Abraham R. Lawrence (now a Judge of the Supreme Court) were reconnoitring in the hall, looking out for a stray City Father on whom to serve the fatal document, and in this work they were assisted by three or four clerks who acted as scouts to the besieging party. As may well be imagined, such a state of affairs had the effect of creating a good deal of excitement around the City Hall, and attracted quite a throng of citizens.

As soon as the old Board assembled, they proceeded to the dispatch of the special business they had on hand, which was the impeachment of the Mayor. Of course, they had to put on record some reason for so important a proceeding; and a paper containing the following specifications was read for the edification of the members of the Board:

The Special Committee appointed by this Board to examine the financial condition and accounts of the City and County, in conjunction with a like committee appointed by the Board of Supervisors, respectfully report:

That your Committee, desiring to make a thorough and exhaustive examination of all the City and County accounts, selected the following gentlemen, all of whom are citizens of well-known character and irreproachable integrity, to act with them, in conducting their examination and investigation, namely: Messrs. Wm. A. Booth, Royal Phelps, Paul N. Spofford, Thos. W. Pearsall, Thos. A. Jeremiah, B. L. Solomon, Robert L. Cutting, Robert Lenox Kennedy, H. B. Claflin, James A. Roosevelt, Wm. H. Osborne, Samuel Willetts, John J. Donaldson, John E. Parsons, John N. Potter and James Brown.

That the said Committee of citizens, after having carefully and industriously prosecuted their investigation, during a period of nearly two months, submitted the result of their investigations with your Committee, in the report hereto annexed. That said Committee report that gross frauds have been practised in the management of City and County

affairs, but do not implicate any particular public official, or recommend that any specific action be taken by the City and County authorities, other than that a copy of the report and document, therein referred to, be transmitted to His Honor the Mayor.

Your Committee, having carefully examined the report of the Committee of citizens, upon which said report is based, having come to the conclusion that the report was fully justified and called for by the facts developed upon the investigation of the City and County affairs, did not deem it advisable to make their report to this Board until they had carefully considered what action it would be proper for your Committee to recommend to this Board and the Common Council, under the startling revelations of fraud developed by the investigations instituted by this Board.

Your Committee hoped that the various organizations, ostensibly formed for the purpose of exposing corruption and bringing those officials guilty of fraud to punishment, would have consulted and advised with your Committee as to what course ought to be pursued by the City and County authorities, in order to punish those who have been guilty of fraud, and if possible to recover back the money fraudulently obtained from the City and County treasury; but, although your Committee were ready and willing and anxious to recommend such action as should best subserve the interests of the City, your Committee have never received from any quarter any intimation that the co-operation or assistance of the Common Council was desirable or requisite, or could be made beneficial to the interests of the City, or the cause of justice or reform. Although your Committees have shown their earnestness and sincerity, in having called to their assistance a number of the ablest and best citizens of our City, and had thereby caused the whole machinery of fraud in the City and County government to be thoroughly exposed, in a manner that left no doubt whatever in the minds of the citizens of this City that the investigation had been thoroughly and impartially conducted, your Committee are, however, of the opinion that the Common Council should not be entirely silent or inactive under the circumstances, but that they should recommend that such action be taken as the law permits and the circumstances of the case require.

After all this attempted cajolery, gotten up only as a pretext and basis for their after action, the communication from the Special Committee goes on to discuss the provisions of the City Charter, the intention of which, they say, was to concentrate all power in the hands of the Mayor, and to make him specially, if not exclusively, responsible for the good

order and efficient government of the metropolis; and, as he did not communicate to the Common Council anything relating to the discovered condition of affairs, "he should be held responsible, and be deemed liable for the frauds that have been committed." The report concludes with the following recommendation:

"Your Committee, therefore, recommend that the Mayor be impeached for malfeasance in office, in not having properly discharged the duties imposed upon him by law."

The Board then passed resolutions formally impeaching "his Honor", and appointed the Counsel to the Corporation, with Charles O'Conor and John Hardy to prepare articles of impeachment, and prosecute the same before the proper tribunal.

After this tragedy came the farce, which must have been rather amusing to all concerned. The President of the Board asked Alderman Cuddy to take the chair, but he not being quick enough on the trigger, Alderman Mitchell "filled the gap," and then the President (as Alderman Coman) tendered his resignation, which was accepted. Alderman Henry Woltman was then made President of the Board; whereupon the resigned Alderman (Coman) being one of the members of the new Board elected in November, said: "I am prepared to take the oath of office as Alderman of the City and County of New York," which oath was administered to him by President Woltman. Alderman Plunkitt (now a State Senator) was then called to the chair by President Woltman, who said: "I beg leave to tender my resignation as President of the Board of Aldermen." His resignation being of course accepted, Alderman (and ex-president) Woltman then said: "I nominate Alderman Thomas Coman as the President of the Board of Aldermen of 1872"; which motion, being put and carried, the "revolved" President thanked the Board for "the honor they

had conferred upon him, and promised to discharge the duties of the office fairly."

The interpretation of all this manoeuvring was that Mr. Coman, having been re-elected as Alderman and having resigned from the old Board, was sworn in by the President of the old Board as a member of the new Board for 1872, and then, having been re-elected President of the Board, he (the Mayor having been impeached) would be the acting Mayor of the City. As such, under the provisions of the Charter of 1870, he would appoint all the old Aldermen and Assistant Aldermen, and thus "checkmate" the new Board. But, he "counted his chickens before they were hatched."

At the hour of twelve o'clock, William H. Moloney, clerk of the old Board, began to read something which was necessary in organizing the Board for the year 1872, when a rather tall man popped up among the spectators, outside the railing which separated the City Fathers from the "canaille." This man was at once recognized as Abraham R. Lawrence, one of the counsel to the new Board, who had his pocket full of writs. As he began to speak, his voice was immediately drowned in the hooting of the members, and the clerk rapped violently on the top of his desk with his gavel. Mr. Lawrence was still for a moment, but as soon as the clerk ceased to rap, he began again. The clerk resorted to his gavel a second time, and the Aldermen again began to cast epithets at Mr. Lawrence, who proceeded nevertheless in a firm, regular tone, which, said a reporter, "sounded like a magistrate reading the riot act to a seditious mob." The clerk continued to rap; the lawyer, however, was equally persistent; and the Aldermen were forced to hear his protest, in spite of their efforts to silence him. Mr. Lawrence, it was said, "grew a little pale, for he did not know how soon an ink-stand might be hurled at his head." After repeating

the protest several times, and thus orally serving the writ of the Supreme Court on all the Aldermen at once, and assuring them that, if they proceeded to organize themselves into a new Board, they would do so at their peril, Mr. Lawrence bade them "Good day," and walked out of the chamber. The Aldermen remained for some time, apparently undecided what to do; and then, one after the other, took their departure.

As soon as the room was cleared, the members of the new Board took possession and proceeded to organize, Alderman Vance being selected as temporary President. When this was done, Mayor Hall entered the chamber, and, addressing the chair, said:

"Mr. President, if you will allow me a few words, I shall thank you for the favor. I came to the office of the Mayor of the City to-day, prepared, for the purpose of solving any legal doubt that might exist, to perform a pledge, I long ago entered into, of appointing the old Boards of Aldermen and Assistant Aldermen. I found that they had seen fit, on their part, to give me an opportunity to do as I pleased. They had taken—without any knowledge on my part, without seeking any conference—hostile action, both personal and official, against me. Whether or not this Board is in office by election, it certainly is in office by appointment of the Mayor, under the Charter of 1870; for, when the action of the Common Council was communicated to me, I saw I was at liberty to take hostile action on my part. There is thus a communion of title. If you are not elected, you certainly are appointed. These remarks are, of course, a little out of order, and I am indulging in them at the sufferance of the Board. And now, whether you are in office by election or by appointment, I shall proceed to administer, under the ordinance, the oath of office."

The members of the new Board of Aldermen were then sworn in; and prior to adjournment for the day, they rescinded, by a unanimous vote, the impeachment proceedings of the old Board.

The members of the old Board tried to make themselves believe that their action on the first of January was all right, and that Alderman Coman was the only legal Mayor of the city; but, like a nightmare, the delusion soon passed off,

In the meantime, primaries for the election of members of a new General Committee of Tammany Hall were held on January 6, 1872, but seemed not to have resulted very satisfactorily. The first meeting of the new Committee ended in a wrangle and a snarl; and it was evident to everyone that the only way to put new life into the old institution was by an entire reorganization. And so, when the Tammany Society met on February 20 to install Augustus Schell as Grand Sachem, the condition of the Tammany Hall organization was a subject of animated discussion; and it was resolved that the subject be referred to a Committee of Twenty (to be appointed by the Grand Sachem), to whom all matters relating to the Society and to the Tammany Hall General Committee should be referred. The gentlemen selected for this work were: Charles O'Conor, Oswald Ottendorfer, August Belmont, John Kelly, John J. Cisco, Andrew Mills, Manton Marble, Wm. B. Clark, John W. Chanler, Arthur Leary, George Law, James English, S. L. M. Barlow, George A. Jeremiah, S. F. Barger, Edwd. L. Donnelly, Thos. B. Tappen, Townsend Harris, Elijah Ward, Abram S. Hewitt, and Miles B. Andrews. These gentlemen arranged a conference with an equal number of members of the newly-elected Tammany Hall General Committee, which resulted in an enrollment of Democrats in the entire City under the direction of a Committee of Seven, of which John Kelly was chairman. Nearly nineteen thousand voters were enrolled. Upon the basis of this representation a new General Committee for so-called "Regenerated Tammany" was elected. Congressman John W. Chanler was chosen the first chairman of that Committee, and then from each Ward was appointed a member of the Committee on Organization, to whom all matters pertaining to the good and welfare of the party were referred. Of this latter Committee, John Kelly was soon afterward made chairman; and thence evoluted a new "Boss," John Kelly,

who brought to the position all the experience of twenty years in politics, during which time he had served two years as Alderman, four years in Congress, and six years as Sheriff of the County of New York, and who, having been chairman of the Committee of Superintendence over the construction of the new Tammany Hall, in 1868, was now to undertake the more onerous task of rebuilding the organization which had its home there. Of his success in this direction I shall have something to say in subsequent letters.

In conclusion, I may add that there was, at this period, in the metropolis, an organization of very active young men, known as the "Reform Democracy," which met in Apollo Hall, and which had exhibited great strength at the preceding November election, and numbered among its leaders Abraham R. Lawrence, Wm. H. Wickham (Chairman), Henry L. Clinton, ex-Sheriff O'Brien, Wm. C. Whitney, Wm. C. Barrett, Samuel G. Courtney, Solomon Mehrbach, Joseph Shannon, Jenkins Van Schaick, Martin Nachtman, Peter Gilsey, Marcus Ottenburg, Christian Schwartzwelder, Alexander Spaulding and others; and, had not Tammany started out on its "Regeneration" trip at the time it did, there was an even chance that it might have been supplanted, so far as State recognition was concerned, by its young and powerful rival.

LETTER XXXIII.

WHEN JUDGE GEORGE G. BARNARD WAS TRIUMPHANTLY "VINDICATED," ACCORDING TO ORDER—HIS ECCENTRICITY AND RECKLESS HUMOR ON THE BENCH—A PICTURESQUE JUDICIAL BRIGAND—THE BAR ASSOCIATION PURSUES HIM—CLOSE VOTE OF THE ASSEMBLY COMMITTEE ON THE CHARGES PRESENTED—FINDING OF THE COURT OF IMPEACHMENT—STRIPPED OF JUDICIAL HONORS AND FOREVER DISQUALIFIED FROM HOLDING OFFICE—FATEFUL END OF JUDGE JOHN H. MCCUNN—AN UNSCRUPULOUS MONEY-GETTER WHO FELL A VICTIM TO PROSPERITY.

MY DEAR DEAN:

Next to that of Tweed himself, the fate of Judge George G. Barnard furnishes the most striking example of great wrong-doing in high public station followed by great degradation and punishment, of which the City of New York has a record.

Like Tweed, Barnard was endowed with natural talents for public life which brought him popularity and position at an earlier age than is usual. Each in his own sphere of infamy was a master. The one was a reckless promoter of public plunder; the other a reckless promoter of judicial profligacy. The one used his talents principally in corrupting the sources of Legislation; the other employed his intellect in corrupting the fountains of Justice. The one owned the City of New York as a man might own his farm; the other dealt out judicial decisions as one might deal out merchandise. The one was sitting on a political throne, defiant, arrogant, and scornful of threats; the other was sitting upon the judicial Bench dispensing injustice

with great humor, and despoiling citizens of their rights and property, as though it were a pastime.

Tweed was reached and torn down from his high station by the talons of the law, and made a felon and a pauper; Barnard was not only shorn of his judicial powers by a high Court of Impeachment, but was disfranchised forever from holding any office of honor, trust or emolument in the State.

Tweed died in prison, ending his days in the bitterest sorrow and humiliation; Barnard, after the blow had fallen upon him, wandered about as a waif, his spirits broken, his health shattered, shunning his acquaintances, inconsolable, irritable and morose, until his death.

All along through the years since then, as it is to-day, and as it will be for all time, Tweed stands out in history as the synonym of public plunder; through the same inexorable history, Barnard holds a permanent place in the annals of the Bench as the greatest judicial bandit of his age, or perhaps of any age.

The physical and mental punishment of these public malefactors, great as it was, could not compare with the anguish of soul they must have felt had they realized that their acts and conduct would hand down their names to future generations, personifying the highest types of official rascality, and standing out, in almost solitary pre-eminence, an example and a warning for all time.

Barnard was a man of strange humors and peculiarities. His appearance indicated that he was bubbling over with a spirit of fun. But still he was not by any means promiscuous in his companionship, and confined his associations to a select few. There is not the slightest doubt that his personal qualities made him beloved by his associates. Perhaps this had not a little to do in spoiling him. He kept late hours, ate midnight suppers, drank champagne and went home merry. He was merry in the morning, as

he took his seat upon the Bench. In this respect at least, he would be a great relief compared with some grouty, grunting Judges of the present day, and maybe it is a pity he did not last longer. Whether it was an early peculiarity of his or whether it was a device to steady his nerves, which might have become more or less shattered by his life of excitement, it is impossible to say, but each morning his special officer, in attendance at Court, never failed to have a stick of wood and a sharp penknife on the Bench as he took his seat. All day long while listening to arguments of counsel, or while trying a case, or sitting in General Term, would Judge Barnard whittle this stick of wood, with his hands sufficiently lowered to conceal the operation from those in front of him. When the Court adjourned, a heap of shavings denoted the unabated vigor of the Judge.

Although he strove to gain that reputation, it would not be correct to say that Judge Barnard was a wit. Perhaps, had he not been a Judge, and uttered his pleasantries, or unpleasantries, elsewhere than on the Bench, the risible muscles of his hearers might not have been so readily affected. It was at the opening of a term of Court, when a great number of the legal fraternity were present, that Judge Barnard's fun was at its highest, if not at its best. If the outbursts of laughter from the assembled lawyers, which greeted his sallies, could be trusted, then Judge Barnard was justified in regarding himself as a genuine wit. No feigned or hypocritical merriment of school boys, at the feeblest wit of their schoolmaster, could compare with the loud, and I must add, indecorous laughter, which lawyers indulged in, whenever Judge Barnard delivered himself of a funny saying on the Bench. This was noticeably true of those favored lawyers who diligently attended Court, looking for references. The art of smiling oneself into references is not yet lost, but now it is not a smile in the first

instance, as in former times, but a reflected smile, from the great politician who must first smile on the applicant, before the Judge will smile on him.

Judge Barnard, at the time I speak of, was a person of striking appearance, tall, well proportioned and handsome. His hair was slightly tinged with gray, but his moustache was jet black, (perhaps artistically kept so), his eyes were peculiarly brilliant, his complexion light olive, his carriage graceful and soldier like, his dress bordered on foppishness and there was about him an entire absence of that sedate and solemn bearing which characterizes most members of the Bench, in and out of Court, and which is often such a trying ordeal for some of our younger Judges to imitate.

After the Bar Association had inaugurated proceedings for his impeachment, Judge Barnard never concealed his hostility towards its members. He strove in some comical ways to show his contempt for them and their charges. One day, a sedate lawyer, who was not a member of the Bar Association, was making a statement concerning the financial condition of some firm in an assignment case, when Barnard, evidently absorbed more in his own troubles, than in those of the firm in question, suddenly and without the slightest warrant said to the lawyer: "Beg pardon; don't wish to interrupt you; but I desire to say that if there is any member of the Bar Association here, he can have an additional specification in the charges against me, for I am going to scratch my head," at the same time suiting the action to the word. This silliness evoked great merriment in Court, in which the lawyers, particularly those who had cases on the day calendar, most heartily joined.

"May it please your Honor," said ex-United States District Attorney Samuel G. Courtney to Judge Barnard one day, as he sat in Chambers, "it is with no desire to inconvenience your Honor that I would respectfully ask you to pass upon the motion papers which were submitted after

argument two weeks ago, in the case of Johnson against Hawks." "What's it about?" inquired Barnard. "An application for an injunction," replied Mr. Courtney. "Our interests are suffering by the acts of the defendant." "You want the decision soon?" asked Barnard, with a smile and a merry twinkle in his eye, for he was an old friend of Mr. Courtney's. "I shall be very thankful," said Mr. Courtney, with a gracious bow. "Well, then, your motion is denied, with costs," said Barnard. Mr. Courtney was taken aback a little; he stammered and smiled, evidently thinking it was one of Barnard's jokes. So it was, but a bad one for Mr. Courtney; for when he stated to the Judge, after the laugh was over, that he hoped he would reconsider his decision, Judge Barnard promptly said: "Other Judges may desire to reverse Judge Barnard; but he never likes to reverse himself."

He was no less curt, on one occasion, when two opposing lawyers wrangled over mere technicalities, until Judge Barnard grew weary. "I ask leave your Honor," said one lawyer, "to amend by inserting the words" &c., &c. "And I move your Honor," said the other lawyer, "to amend by inserting the words," &c., &c. Judge Barnard looked at the clock, jumped to his feet and said: "Gentlemen, you each have leave of the Court to insert, if you choose, the whole of Webster's Dictionary. But I am going to lunch. The Court takes a recess." And Judge Barnard quickly disappeared through a side-door, while the lawyers began to pick up their papers, amidst the laughter of all in the Court-room.

Samuel Hirch was a well-known lawyer. He had numerous qualifications, but perhaps what brought him most notoriety was a voice like a foghorn, and his difficulty was that he could not attune it or reduce it in force or volume, so that it could never be measured out in proportion to the size of the room where he spoke.

The Supreme Court Chambers where motions were heard was a comparatively small room. As soon as Mr. Hirch opened his argument one day his voice startled every one in Court and Judge Barnard, who presided, almost jumped to his feet. A few days after this another motion came on in which Mr. Hirch was to be heard, when his clerk asked Judge Barnard to grant a short adjournment as Mr. Hirch was detained. "Where is he?" said Judge Barnard. "In Wall street, your Honor," said the clerk. "Very well," said Judge Barnard, "let him just go ahead with his argument where he is; I can easily hear him."

Judge Cardozo gave most of his valuable references to Gratz Nathan, who was his nephew. Barnard extended a great many favors to James H. Coleman. Two lawyers, one representing the plaintiff and the other the defendant in an action, agreed in writing to refer the case to Gratz Nathan, and handed up an order of reference to Judge Barnard, who, when he observed the name of Gratz Nathan as Referee, exclaimed: "Gratz Nathan! No, gentlemen; 'Jimmy' Coleman is my Gratz."

Judge Barnard was one of the youngest, and, in many respects, one of the most popular members of the New York Bench. His position on the Supreme Court he had held for eleven years, and during that time he had done an enormous amount of judicial work. With the junior members of the Bar, his free and familiar manners and his generous consideration for their inexperience when they came before him in court, had made him a special favorite, while his intuitive knowledge of law, his discriminating judgment, his quickness in the dispatch of business, and the facility with which he could seize the salient point in any case upon which he might be required to adjudicate, earned him the good opinion of men his seniors in years as well as in legal experience. But in his general character

and conduct, in his showiest as well as his shadiest qualities, he was the essential outcome of the system of which Tweed was the head.

It will be remembered that in my letter on the Erie contest of 1868, I spoke of the manner in which Judges Barnard and Cardozo were used by Tweed to further his plan, and how Judge Barnard so prostituted his position that a suit for conspiracy was instituted against him and Cornelius Vanderbilt. But I did not state the further movements of Barnard. In the Fall of 1868 (his term of office expiring on the 31st of December of that year) he sought and obtained a renomination for a seat on the Bench from Tweed. The Boss had determined to elect Hoffman Governor of the State, and was bending every effort in that direction. Horatio Seymour was nominated for the Presidency. The pending suit for conspiracy against Barnard would have been too conspicuous a target in the canvass (for which the opposition had loaded their guns), and it was thought necessary by Tweed that he should have a clean bill of health. So, being a member of the Board of Directors of the Erie Railway Company, Tweed arranged for the following publication—for appearance sake dating the proceeding of the Board several months back:

"I hereby certify that at a meeting of the directors of the Erie Railway Company, held on the 10th day of July, 1868, the following action was taken:

"*Whereas*, a certain action is pending in the Supreme Court of the State of New York in favor of the Erie Railway Company and James S. Whitney against George G. Barnard and others; and, whereas the complaint in such action charges the said Barnard with corrupt and improper action and conduct in his official capacity as a Judge of said Court; and, whereas we have become convinced, after a most ample and complete investigation that there is no foundation whatever for such charges; therefore

"*Resolved*, That the said charges be and the same are hereby withdrawn as wholly groundless.

"*Resolved*, That the said action, as against the said George G.

Barnard, be abandoned, so far as this company is concerned, as a party plaintiff, and that our attorneys be and they are hereby instructed to discontinue the same accordingly."

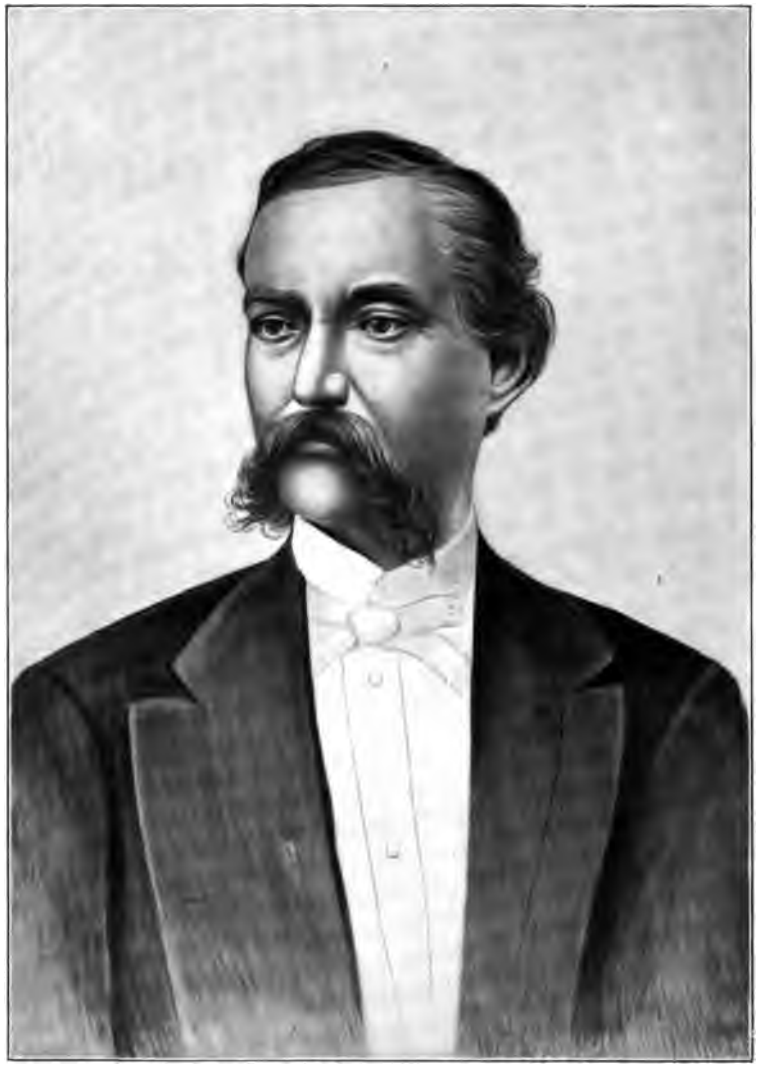
HORATIO N. OTIS,
Secretary.

This "vindication," one of the papers of the day believed would "silence all slander;" and the same paper continued "as one of our most fearless, independent and efficient dispensers of justice, we dare say Judge Barnard is sufficiently well known to run ahead of his ticket."

The prophesy was correct. Through Tweed's manipulation, Judge Barnard, having now appeared before the public in judicial garments as white as snow, was made a Justice of the Supreme Court by a majority of 62,000 votes. Thus was the Judge "triumphantly vindicated"—according to order, with fourteen more years of official life and its handsome emoluments in prospective.

Secure for fourteen years' additional power upon the Bench, Judge Barnard entered with fresh vigor into a career of judicial recklessness.

A remarkable episode occurred in the Supreme Court on the occasion of Tweed's first arrest. He was arraigned before Judge Gunning S. Bedford in the Court of General Sessions. Judge Bedford was asked to fix the bail. Charles O'Conor for the prosecution said "I am unfamiliar with the practice, but I should say he ought to be committed without bail." To everybody's surprise Bedford committed Tweed without bail. Bedford evidently saw the storm approaching and wanted to be "too good." Tweed was being hustled towards the Tombs prison, when the officer having him in custody was served with a Writ of Habeas Corpus issued by Judge Barnard. Brought immediately before Judge Barnard, Tweed stood in the presence of one of his oldest political associates. There were loud and angry arguments on both sides. The District Attorney, Samuel B. Garvin, for the prosecution, was not only very emphatic but



(Redrawn from Frank Leslie's Weekly. By permission.)

GEORGE G. BARNARD.

so apparently belligerent as to give rise to the suggestion that "he doth protest too much." O'Conor made a lengthened argument. Judge Barnard seemed very careless of it. When he got through Judge Barnard in an offhand style said he saw no difference between the case before him and that of any other of a similar grade, and he said, abruptly, "I will fix bail at $20,000."

O'Conor, with a sarcastic smile, looked Barnard through and through, then quietly arose, picked up some of his law papers which were lying on the table, looked at Barnard again, resumed his work of picking up the papers, folded them together slowly, after which he gave Barnard another steady, piercing, scornful look. As he was leaving, he turned to a small group standing near and said: "He has dug his own grave."

Some friend of Judge Barnard informed him of O'Conor's significant remark and Barnard said:

"Well, now, see here! What a contemptible cur I would be, if poor Bill Jones was brought before me, charged with a bailable offence, and because he was poor I refused him his obvious rights. And if it would be contemptible to discriminate against poor Bill Jones, because he was poor, why wouldn't it be equally cowardly to discriminate against rich Bill Tweed, because he is rich? I don't care a d—n for a man's money. Bill Tweed's legal rights are the same as Bill Jones's, and if there was a string of Charles O'Conors from here to hell, I wouldn't refuse either Bill of what, in my judgment, he is entitled to. These so-called reformers are as crazy as Canada bed-bugs, and they expect me to do things that they would be the first to condemn at any other time. The records of my Court will last a great deal longer than this reform cry, I can tell them, and I don t propose to be put in a hole to oblige Charles O'Conor or any other man."

But, in spite of all Barnard's joviality and daring, there came a time when the dashing and apparently fearless Judge was by force of circumstances compelled to have serious thought, and that was when the depredations of the Ring first began to arouse public attention, and the talk of the formation of a Vigilance Committee cropped out in the

press. Then it was that Judge Barnard, with a view, perhaps, of self-preservation, granted the injunction, to which I have previously referred. But, notwithstanding Judge Barnard's endeavors to save himself from the approaching deluge, the seed sown by that fearless member of the Bar, James T. Brady, had taken root. Leading members of the profession had determined that the then existing disgraceful Judiciary should receive public condemnation, and steps were quickly but surely and persistently taken to secure the impeachment of the Judges who had been mere subservient tools of the Ring.

Accordingly, at a conference, it was agreed that Charles O'Conor and Samuel J. Tilden, of this City, Wm. W. Niles of Westchester County, and several other trustworthy lawyers, including David B. Hill, should seek positions in the ensuing Assembly to aid in the work of judicial purification. Charles O'Conor declined the nomination because as he was appointed by the Attorney General to prosecute the civil actions against the Ring, he had to devote all his time to these duties. But Messrs. Tilden, Niles, Hill and others, at the opening of the Assembly of 1872, found themselves members of that body.

No event of the Tweed régime excited greater astonishment, and in some quarters greater alarm, than did the proceedings for Barnard's impeachment. Less than twelve months before, Barnard had been overwhelmed by the eulogies of the New York press, as "the fearless and upright Judge," who had rescued the city from the grasp of the Ring robbers. The injunction which he had granted was practically a death-blow to the Tweed régime. It effectually arrested the course of the conspirators, and disordered their schemes, by shutting off the chief source of supplies; and the idea of a prosecution, invested with all the pomp and penalties of an impeachment, against a man who had done such a public service, while, so to

speak, the echoes of popular applause for the deed was still in the air, surprised more than Judge Barnard's friends. In this connection, I may add a somewhat peculiar report of the injunction proceeding, which appeared in one of the daily papers at that time :

The Court room was crowded. Judge Barnard sat on the Bench, whittling a piece of soft pine as was his custom. Everyone else was worked up to a pitch of excitement. The Judge knew that his decision was not to be affected by the arguments ; for he had it on his desk before the Court opened ; so, with a jolly jocoseness, he looked about the room and whittled, while the counsel talked. When all had finished, he rendered the memorable decision that blocked the game of the Ring, upset all existent potencies, made Andrew H. Green, master of the situation, sent into exile the millionaires of the era, and opened the way to his own down-fall. It was a wise decision, and was received with gratitude by the few good men in the council of the "outs." As Barnard left the Bench, a friend said to him : "Well, you have done it this time." To which, quick as a flash, with utter indifference to who might have heard him, he replied : "Peter ought to be satisfied, he wrote (or made) it himself." It may be doubted if any other living Judge would have admitted, still less announced, that his decision in a matter of such gravity had been prepared by the man who was popularly regarded as the brains of the organization then on its defence. From the Court-room, Barnard went direct to Delmonico's, then at the corner of Broadway and Chambers street, and for hours was the centre of a curious and friendly set, with whom he discussed the situation, and the grounds on which the injunction order was based.

The statement that Peter B. Sweeny had written Judge Barnard's decision was no doubt a sensational figure, drawn from the reporter's imagination. Judge Barnard had said and done a good many foolish things, but it is safe to presume he never made such a spectacle of himself as the reporter had represented him. Besides, it is not likely that Sweeny, with his great sagacity and foresight, would have advised a step which was to annihilate the most essential power of the Ring of which he himself was the guiding spirit, or that he would have been treacherous enough to bring destruction upon his associates with the hope of

saving himself, especially when no serious crisis was yet at hand.

Why Judge Barnard should have delivered such a stunning blow upon his political associates and the system with which he was so intimately identified, in granting the Foley injunction, seemed at the time unintelligible. Looking back at it now, however, from our present standpoint, we can understand it without difficulty. Judge Barnard, with all his lightness of disposition, was not deficient in shrewdness, or in the instinct of self-preservation. In the half articulate mutterings of public sentiment, he read the signs of the times! Every day, the voice of popular discontent was becoming more distinct, and the tone of the press more fierce and more denunciatory of Boss Tweed and his hirelings. One New York journal, commenting upon the corruption of the Bench, mentioned Judge Barnard by name, and spoke with sinister suggestiveness of lynching, that was not lynching, very much in the same way as the pamphleteer during Cromwell's usurpation, spoke of "killing" as "no murder," in certain connections, which plainly included the Lord Protector himself. There had moreover, been some talk as I have stated about the formation of a Vigilance Committee in New York. But, on the other hand, by the injunction in question, Judge Barnard had broken the back of the conspiracy; had rendered a most valuable service to the community, and, in view of his having done so, that steps should be taken to disgrace and punish him, was a matter of surprise and wonder to many. But the able men who stood at the front of the reform movement gave Barnard no credit for his injunction, or if they did, they were not willing to accept it as a condonation of his other misdeeds.

With a desire to vindicate the dignity of justice and put an end to the scandals connected with the Judiciary, the Assembly of this State, in the early part of 1872, as had been urged by O'Conor, Tilden and others, appointed

a Committee to inquire into the charges presented by the Bar Association against Judge Barnard, and also into those against Judges Cardozo, Ingraham and McCunn, with a view to their impeachment.

The Committee began its investigation on February 19, 1872, in the Fifth Avenue Hotel, New York City. Among its members present, on this occasion, were David B. Hill and Samuel J. Tilden, both afterwards Governors of the State. It was decided that the proceedings should, at the option of the Committee, be private; that the accused Judges should be allowed to be present, during the sessions of the Committee on their respective cases, accompanied by not more than two counsel, and might make such suggestions and ask such questions as the Committee should permit. To the Bar Association three counsel were permitted.

In anticipation of the action of the Bar Association, Cardozo and Barnard had their counsel at the Hotel, ready to answer the call of the Committee. Rufus F. Andrews and E. L. Fancher represented Barnard; Judge Fullerton and E. H. Owens, Cardozo. It was proposed to leave out McCunn, in order to use him as State's evidence against the others.

The case of Judge Cardozo was first proceeded with, after which, on March 5, the investigation into the charges against Barnard began. The last meeting of the Committee was held on April 9th, but the report was not sent to the Legislature until early in May, and in its issue of May 5th, the New York *Sun* made the announcement that "two hours before this was done, Judge Cardozo filed his resignation with the Secretary of State, thus escaping the penalty which probably awaited him on the impeachment."

This move on the part of the wily Judge was not quite unexpected. He had shown signs of weakening, and exhibited much nervousness during the investigation, but had

spoken no word of his intention. An impression, however, to this effect found utterance in the hints of outsiders, which reached Barnard's ears. Realizing the bearing which such action would have on his own case, he promptly called upon Cardozo, and asked him if there was any foundation for the rumor. "You will ruin everything, if you resign" said he; "for your resignation will not only be regarded as an evidence of guilt, but it will compromise us all, and destroy any chance we may have of a fair trial."

Cardozo replied with more than judicial calmness, quietly denied the truth of the rumor, and completely took Barnard off his feet, by observing, in a tone of voice more suggestive of sympathy than reproach: "You, my dear Barnard, are the last who should accuse anyone with attempting to steal a march upon you, when you remember your own conduct in connection with the Foley injunction. Who stole the march in that case, when, without a word to your friends, you yielded to popular clamor, in the hope, I suppose, of warding off the very ruin which by that order you would actually seem to have invited? Whatever trouble there is, or whatever ruin threatens, you are the cause. However, I have not made up my mind to resign. As I feel now, I shall fight it out."

Barnard could make no reply. He felt too keenly the force of Cardozo's reproaches. The Foley injunction opened the way for all the disasters which had since befallen the Ring, and he alone was to blame. Reassured, however, by Cardozo's parting words, he hastened to share such comfort as they gave him with his friends. Next day, Cardozo sent in his resignation. He had deceived Barnard, had deceived the Boss, had tried to deceive everybody, by keeping his purpose secret, that he might be able to carry it out quietly, without being troubled, or running the risk of being diverted from it by the im-

portunities and reproaches of his colleagues on and off the Bench.

Barnard had now, it might be said, to face the storm alone. McCunn's case would be, he had reason to believe, as it was ultimately, referred to the Senate, and the charges against Judge Ingraham, he being an old man and his term of office nearly expired, would most likely be allowed to drop. As Tweed was afterwards made to suffer for the sins of his confederates as well as his own, so Barnard, in addition to his own burden, had to bear a large part of the penalties due to the iniquities of others.

It was understood that the Committee of the Assembly, which remained in executive session one whole day, stood for many hours 4 for impeachment and 5 for removal, but that finally, through the vote of William W. Niles, of Westchester, a majority was obtained for impeachment; and on May 10th, Articles of Impeachment were presented against Judge Barnard by the Assembly to the Senate. On the 14th, the Senate met in joint session, with Chief Justice Church, Judges Folger, Allen and Peckham, of the Court of Appeals, "as a Court of Impeachment for the trial of George G. Barnard, Justice of the Supreme Court, on a charge of mal and corrupt practices as such Judge." The names of Senators having been called, the Sergeant at-Arms, acting as crier, opened the Court, and the reading of the Articles of Impeachment being disposed of, a motion was passed requiring the accused to appear. The articles were thirty-five in number, with many specifications, in which no peculiarity of the defendant's character or conduct, however trivial, had been overlooked.

On May 22d, the Impeachment Managers held a preliminary meeting for the selection of counsel and to fix the time and place of trial. Saratoga was selected as the place, and July 17th as the date. Messrs. George F. Comstock and Joshua M. Van Cott were chosen as counsel to the

Board of Managers. The members of the Bar Association were invited to take part in the proceedings and to aid the managers by their advice and otherwise. At this meeting Judge Barnard was present with his counsel, Wm. A. Beach, Judge Reynolds, Rufus F. Andrews and William O. Bartlett. When called upon, he replied, through his leading counsel, Mr. Beach, who, on his behalf, submitted a general plea of "not guilty," and a denial in detail of the charges made against his client.

On Friday, July 19th, the Court met and opened the proceedings in the town hall of Saratoga. The Judges above named, aided by a number of Senators, took their seats as triers. When the Court had opened, Judge Barnard appeared with his array of counsel, headed by Mr. Beach, and took his seat at the place assigned him.

Taking into consideration the unusual nature of the proceedings, the gravity of the question involved, the eminence of triers and advocates, and the effect of the issue upon the character, reputation and future conduct of the Judiciary of New York, no Court of higher importance had ever sat, in this State, or one which was invested with deeper, I ought to say, with more solemn interest.

On the opening of the Court, Mr. Beach on behalf of the respondent, said: "The articles of impeachment ought to be disregarded, on the ground that they had not been adopted by a majority of the members of the Senate elected thereto, and that, therefore, the respondent was not impeached in due form of law." He also contended that no cognizance should be taken of certain of the Articles, inasmuch as they referred to matters which had occurred before Judge Barnard had entered on his present term of office; that, if they did occur, the people were presumed to have known of them; and, notwithstanding this, elected him, and the election operated as a condonation of any alleged prior offences. To press these articles, then, would be to

override the authority and will of the people. These objections, as well as an objection to other Articles, on the ground of irrelevance and vagueness, when put to the question, were overruled by a vote of 23 to 9.

In answer to Judge Van Cott, in a subsequent stage of the proceedings, who alleged that a Judge might be impeached for mere acts of indecorum, and quoted certain English precedents to that effect, Judge Reynolds contended that, having been elected for a specified term, Judges could not be removed for mere acts of levity or indecorum, and bearing upon a similar question, Mr. Bartlett afterwards made the point, that under the spirit of the Constitution of this State, precedents from English authorities on Impeachment could not properly be considered by the Court. In sustaining this latter view, he quoted the opinion of Chief Justice Marshal, of the United States Supreme Court.

Among the witnesses examined for the prosecution was the notorious "Josie" Mansfield, who figured so prominently in the trial of Stokes for the murder of James Fisk, Jr. Her evidence indicated a very large and miscellaneous array of admirers and acquaintances. At her house, No. 359 West Twenty-third street, New York, Judge Barnard had been a frequent caller. There, too, the Directors of the Erie Railroad were in the habit of meeting for consultation. Fisk, Gould, Tweed, Morgan and Dudley Field, were also mentioned as visitors—in fact, said she, with an air of nonchalance, "I have been in the habit of receiving Judges, lawyers, members of the Bar Association and many other distinguished people—indeed, I think, Mr. Beach," turning her full face upon that gentleman, who was cross-examining her at the time, "I have received even you." "But only in the way of business," hurriedly replied Mr. Beach, blushing in most unprofessional manner. "Oh, assuredly," said the smiling lady; "only in the way of business."

In its issue of August 2d, 1872, the New York *Sun* describes the proceedings in the following words:

"The whole case for the prosecution is now in. It presents to the public thirty-five or thirty-six official errors by Judge Barnard, during a period of eleven years' judicial service, in eight of which he has granted from 25,000 to 80,000 orders, including cases on the motion calendar and ex parte orders."

On August 13th, before a sitting of the Court, in which were present all the Judges and eighteen Senators, the summing up began. Both sides were fully represented by counsel, Messrs. Van Cott, Parsons, Pratt, Stickney and Burton N. Harrison appearing for the Managers, and Messrs. Beach, Andrews, Bartlett, Reynolds and Townsend for Judge Barnard. A crowded audience lent additional animation to the scene and fresh energy to the contending advocates, each of whom seemed confident of triumph. The argument for the prosecution was led off by Mr. Pratt, and followed by Mr. Stickney, who occupied the remainder of the day. On the 14th, Mr. Beach began his address for the defence. He reviewed Judge Barnard's career on the Bench, showed the work he had done, portrayed him at his post of duty at all hours of the day and night, in following the course of what he described as "the peripatetic Courts of New York," exposed in terms of scathing denunciation the tactics of the Bar Association, as it crawled in the path of its victim from place to place, listening to his lightest word, and noting his minutest movement in its anxiety for materials out of which to construct the instrument intended for his ruin. The speech occupied seven hours. As the thrilling words of the peroration rang through the Hall, Judge Barnard's case seemed for the moment won.

But Judge Van Cott followed, and under his cool and crucial arguments the brilliant rhetoric of Mr. Beach fell to pieces. The picture was, as it were, reversed, and the

figure of the earnest and energetic Judge, as drawn by the defence, grew, under the manipulation of Van Cott, into a caricature of judicial dignity and duty, as he dwelt upon the events of Judge Barnard's career.

On the evening of August 17th, the Court remained in secret session for three hours and a half, and voted on the first nine Articles of the Impeachment. On the following Monday the result of their deliberations appeared in the announcement that "Judge Barnard had been acquitted of the charge of pecuniary corruption." The hope of his friends rose exultingly. But they were hopes which a few hours would turn, like Dead Sea fruit, to ashes. The worst that would befall him, they imagined, was deposition from the Bench, and that could be easily rectified at the next election.

On the afternoon of the following day, Barnard was seated with some of his friends, in a room of the Grand Union Hotel, in Saratoga, and having a good time, such as he and they loved. They were waiting for the verdict, chatting, joking, smoking, drinking, gaily anticipating the result, more as a new sensation than anything else, and among them was none more gay than Barnard himself. He had no fear of any crushing disaster, and his character would shine all the brighter in contrast with that of Cardozo who had so meanly shrunk from the very appearance of danger.

At length the news arrived, and it fell upon them, in the midst of their hilarity, like a thunderbolt. Their sudden silence and unuttered curses told the tale. More than their anticipated "worst" had happened; for ex-Judge Barnard sat before them stripped not only of his judicial honors, but forever disqualified "to hold and enjoy any office of honor, trust or profit under this State." The vote for his deposition had been unanimous. Two Senators, Johnson and Lord, —more, I imagine, out of sympathy for the fallen man than from a rigid sense of justice—had voted against his dis-

qualification. In pronouncing the sentence of the Court on Judge Barnard, Judge Grover, of the Court of Appeals, said: "I am happy to see from the votes we have given that his hands are unstained by bribery. Let it not be said hereafter of Judge Barnard that, for the purpose of personal gain, or filthy lucre, he has consented to pervert justice. I am happy to bear the further testimony in favor of Judge Barnard, that, upon the trial of criminal cases, we have heard no complaint of his conduct; upon the trial of important civil suits he has fairly and uprightly discharged the duties of a just and upright Judge, according to the best of his abilities. The errors into which he has fallen are somewhat akin to some of the nobler virtues." Judge Peckham said: "I agree in everything that has been said in favor of the defendant. I may add that my own relations with him have been kind, and I have known him for years." Chief Justice Church did not vote on the impeachment.

Judge Barnard was a native of this State, born at Poughkeepsie, in 1829, and was one of seven brothers, all graduates of Yale College, from which he received a bachelor's degree in 1848. He was a brother-in-law of Judge Samuel Jones, of the Superior Court, and son-in-law of John Anderson, the millionaire tobacco-merchant. His wife died of a broken heart in 1874, after manifesting through all his trouble a most self-sacrificing devotion to her husband. The deposed Judge died in this City in April 27, 1879.

The proceedings against Judge Ingraham were allowed to drop; McCunn's case was transferred to the Senate, by whom it was subsequently tried. To the charges laid before the Senate, McCunn entered a demurrer, on grounds similar to those urged against certain articles in the Barnard impeachment, viz.: that, if the acts therein referred to were committed at all, they were committed before the month of November, 1869, when he was re-elected to the position he then held, and after all such charges had been made public.

Defeated on the demurrer, the trial was proceeded with, and after a hearing of several days, during which charges of embezzlement and misappropriation of moneys, to a large amount, were proved against him, he was removed from office by a unanimous vote of the Senate.

There was an element of tragedy and poetic justice in the circumstances surrounding the fate of McCunn, which one seldom meets with in real, and especially, in official life. Swift and severe, indeed, was the stroke of retribution which fell upon the head of the erring Judge. It was a vindication of right divine, no less than human, which invests this episode in the history of New York politics with a most suggestive solemnity. Hurrying from Albany, after the fatal sentence was passed, in a half-dazed manner, to his home in New York, McCunn shut himself up in his bed-room, scarcely permitting even the members of his own family to see him, as if to hide his great shame from the world. Here he remained for three days, when he died, smitten by remorse and shame.

The story of his life furnished a lesson which I do not think has been quite lost. Originally a common sailor, and born of humble parentage, in County Derry, Ireland, he landed in New York when quite a youth, penniless, and without a friend. After working for some time in a menial capacity, about the city docks, he managed to make the acquaintance of Charles O'Conor, and that great lawyer, who lived to attend his funeral and stand by his grave, aided him so well that, when little over twenty-one years of age, he got admitted to the New York Bar. Very soon after, he began to take a part in politics and with unusual rapidity made his way to the position from which he was finally deposed.

Had McCunn been only half a wise man, he would have been satisfied with this great measure of success. The temptations of his position, however, were too great for one

to whom love of money was becoming a passion. Fortune had been kinder to him than to most men, but the gifts of the goddess did not come quickly enough to satisfy his growing fever.

LETTER XXXIV.

SOLVING A POLITICAL ENIGMA—HOW AND WHY DEMOCRATS SUPPORTED A REPUBLICAN FOR PRESIDENT—POPULAR DISGUST AT RADICAL RECKLESSNESS AND DESPOTISM—WELL DESIGNED BUT UNSUCCESSFUL COALITION FOR PEACE AND PROSPERITY—ATTEMPT TO EXPEL GREELEY FROM THE UNION LEAGUE CLUB—THE CHAPPAQUA PHILOSOPHER ON HIS FARM—HIS GOODNESS OF HEART AND RURAL SIMPLICITY—INTERVIEWED BY THE FEMALE SUFFRAGISTS—CHARACTERISTIC ANECDOTES.

MY DEAR DEAN:

You may have experienced some surprise, after reading the bitter tirade of Horace Greeley against the Democracy, to which I have called your attention, that so intense a partisan as he should, in the year 1872, have been endorsed as a Presidential standard-bearer by the Democracy. This somewhat remarkable episode in our political history I will endeavor to explain.

In 1870, '71 and '72, the Republicans had gravitated to the servile position of a Grant party; and the conditions of the country were strikingly similar to those which existed at the beginning of the century. In the year 1800, two antagonistic systems of government under one Constitution wrestled with each other for supremacy. John Adams, the President, was a candidate for re-election. He was the representative of an interpretation of the Constitution which looked to a "strong government" of force, able to maintain itself and its will by its own Federal power. The Alien and Sedition Laws of 1797 were typical of that tendency toward a centralized power, outside, independent of, and above the several States "and the people thereof." Opposed to this, a new party was formed, under the leadership

of Thomas Jefferson, with that distinguished Virginia statesman and philosopher for its Presidential candidate. This party sought to maintain the legitimate power of the Federal government strictly within the limits defined by the Constitution; but it also upheld the reserved rights of the States, and of the people, and vowed to defend them against encroachment by the central power. In its results, that election exerted all the power of a successful revolution. Under Jefferson, as President, the whole character of the government was changed; it was suddenly transformed from an aristocratic to a democratic republic. The semi-regal formality of the one was abandoned for the simplicity of the other; there were no more speeches of the President to Congress, and addresses by that body to the President, modelled after the speeches from the English throne and the humble address of Parliament; in a word, the Democratic-Republican party, under Jefferson, wrought a transformation, liberalizing the government in every respect.

After more than seventy years, the conditions of the country were almost precisely at the point and upon the same ground where our fathers had stood and fought at the opening of the century. On one side was arrayed the Federal Administration, with all the "pomp and circumstance" of overgrown power, demanding a further continuance in office, in the re-election of President Grant. The tendency to centralization, to all the grandiose forms which power assumes to overawe when it cannot command respect, was personified in the military appendages of the President. The Ku-Klux Bills, suspension of the Writ of Habeas Corpus, the Bayonet Election bills—all of these corresponded to the Alien and Sedition Laws of John Adams' Administration. And as a consequence there was manifested within the Republican ranks a feeling that it was high time to "turn over a new leaf," and, having sufficiently

honored General Grant for the services he had rendered during the Civil War, once more to make military subservient to civil law throughout the land.

The outgrowth of this sentiment was the organization of what was known as the Liberal-Republican party, of which Carl Schurz, Senator Trumbull, and other prominent Republican leaders were exponents, and a call was issued for a National Convention to be held at Cincinnati, in the month of May, for conference, and to "take such further action as might be deemed necessary." The Radicals ridiculed this manœuvre, continued the development of their purpose to renominate Grant, and called their National Convention at Philadelphia, in the month of June; while the Democrats selected Baltimore for holding their National Convention, in the month of July.

Here I should perhaps explain that the term "Radical" with us was applied to the extremists of the Republican party and to the policy of force which they advocated in dealing with the conquered Southern States, while with you, in England, as I understand, the same term designates advanced Liberal or ultra-popular opinions.

It was made clear at the Presidential election of 1868, when Horatio Seymour was beaten by a large majority of the electoral vote, that the people of the Northern States—much as they had tired of the grasping power of Radicalism—were not quite prepared to trust the Democratic party, which as yet had no firm foothold in the North, except in the States of New Jersey and New York, and the leaders of the Democratic party were free to acknowledge that their only hope of recovering their former prestige in the North and of winning in a Presidential contest, was to weaken the opposition party by an encouragement of the pending rupture in its ranks. A consultation with the leaders of the Liberal-Republican movement was asked for and conceded. This resulted in the proposed adoption by the Cincinnati

Convention of a platform which would permit a union of all progressive Democrats with the Liberal-Republicans; in return for which came an assurance from the Democrats that the selection of a nominee who would accept and stand upon such a platform would, no doubt, receive a hearty endorsement from their side of the house.

Hon. Waldo Hutchins, of Westchester County, N. Y., was one of the prominent Republicans who had become heartily disgusted with the Grant Administration, and, being a very active participant in the formation of the Liberal-Republican organization, he took it upon himself to confer with his neighbor, Horace Greeley, also a resident of Westchester County, on the situation of affairs. Finding him in hearty sympathy with the anti-Grant movement, Hutchins conceived the idea of suggesting to his associates in the Liberal organization the nomination of Mr. Greeley, one of the most-widely known Republicans in the Union, as the most available candidate to draw support from the regular Republican party; and, the suggestion meeting with an earnest welcome, Horace Greeley became the chosen nominee of the Liberal-Republican National Convention. Mr. Greeley was an enthusiast for freedom. He insisted on freeing the negro slaves because he believed it wrong that one man should own the body or labor of another. Slavery had been done away with; but other lamentable conditions had arisen. While the blacks in the South were free and were masters of their own labor, the whites were slaves—slaves to a political oligarchy almost as bad as the world had ever seen. Greeley was still true to his principles. Advocating freedom for all mankind, he took the stand that "the white man in the South was as good as the negro, and should be treated like a free man and not like a slave." This was all the Southern Democrats asked for; and, with such an avowal on the part of Mr. Greeley, it did not require any coaxing, when the Democratic National

Convention assembled, to secure their support for a man who was opposed to the oppression then meted out to the Southern States, seven years after the close of the Civil War, and especially one who had had the moral courage, notwithstanding the opposition of many of the leaders of the party of which he had been the head and front, to become one of the sureties of the fallen chief of the Southern Confederacy, Jefferson Davis.

Parenthetically, I may here remark, that, because of Greeley's signing the Jefferson Davis bail-bond, an effort was made, on motion of George W. Blount, of this City, to expel him from the Union League Club. This proceeding roused Greeley to a white heat, and he addressed to the president of the Club one of his most characteristic letters, which was as follows:

"I shall not attend your meeting this evening. I do not recognize you as capable of judging or even fully apprehending me. You evidently regard me as a weak sentimentalist, misled by maudlin philosophy. I arraign you as narrow-minded blockheads, who would like to be useful to a great and good cause, but do not know how. Your attempt to base a great, enduring party on the heat and wrath necessarily engendered by a bloody Civil War is as though you should plant a colony on an iceberg which had somehow drifted into a tropical ocean. I tell you here that, out of a life earnestly devoted to the good of humankind, your children will recollect my going to Richmond and signing the bail-bond as the wisest act, and will feel that it did more for freedom and humanity than all you were competent to do, though you had lived to the age of Methuselah. I ask nothing of you, then, but that you proceed to your end in a brave, frank, manly way. Don't sidle off into a wild resolution of censure, but move the expulsion which you proposed, and which I deserve if I deserve any reproach whatever. I propose to fight it out on the line I have held from the day of Lee's surrender. So long as any man was seeking to overthrow our government, he was my enemy; from the hour in which he laid down his arms, he was my formerly erring countryman."

The effort at any censure whatever of Greeley by the Union League Club utterly failed.

Perhaps the best illustration of the popular sentiment of the period can be gathered from the brief address made by

the chairman of the delegation of the Liberal-Republican organization appointed to wait upon Mr. Greeley and tender him the Presidential nomination. Mr. Greeley was found in the midst of a company of friends and neighbors, seated in a beautiful grove on his farm at Chappaqua, Westchester County, N. Y., and he had prepared a rural repast for his visitors, his desire being to make the occasion more a social than a political gathering. After the repast, Col. Benjamin A. Willis spoke as follows:

"I am glad to meet you, ladies and gentlemen, gathered under the shadows of this beautiful grove. We are told that the philosophers of antiquity met in the grove to hold high discourse of reason and poetry. How fitting, then, is it for us to meet in this grove to do honor to a higher philosopher than any of them—to Horace Greeley. (Prolonged cheering.) Grant's great cry was, 'Let us have peace!' But to day he is the most formidable foe of peace. The government has been prostituted to one-man power. Republican government means a government subject to the people's will; ours is subject to that of a despot. But we have met here, not so much to complain of Grant as to show our regard for the next President of the United States. (Cheers.) I, who fought with Grant, and who voted for him, cannot avoid saying that he is using every means within the power of his high office to secure his election for four years more; nor has he stopped here, but assumes powers that disgrace his office and the country. He has assailed each cardinal principle of Republican government, and made his name and position a byword throughout the world. The outrages he has committed culminated in the Cincinnati Convention, and the Democratic party allied itself with that movement to correct abuses the country was subjected to. The honest men of both parties wanted reform. The Democrats have no hope for it but in the election of Horace Greeley. Grant's followers superciliously ask how they could support the life-long opponent of the Democratic party? This is a new party, one which throws aside issues and adopts the principles of Jefferson, (continued cheering,) and Horace Greeley is our exponent. Where free speech and a free press exist the national intelligence of the people detects danger. When one issue is dead another arises, and a new party is necessitated. This is our case. This is a popular movement, and popular movements sweep in currents. Hence this uprising—North, South, East and West. The cry comes: 'Banish corrupt men from offices, give us the principles of the Cincinnati platform, and for President one whose name is above reproach—Horace Greeley.' My friends, this departure means peace and prosperity."

There were many Southern and Western gentlemen present, and all joined in hearty congratulations to Mr. Greeley, who, after much cheering, was loudly called for, and after some hesitation stepped forward and said:

"Ladies and Gentlemen: It was once said by one Irish orator of another, that 'he never opened his mouth but what he put his foot in it.' One of the ideas of a candidate for the Presidency is that he always commits a mistake of the same nature. Their friends always advise them not to talk, although they might talk if they did not say anything! I was suddenly plunged the other evening into a gathering—a social dinner of college graduates. It would have been easy for me to make excuses against going there; but I went. I was entreated to speak, and did speak for three minutes on the subject of education. It was at once reported around the country that I promised to give the government the control of the education of the American people. The impression was sent abroad that I favored placing within the sphere of the Federal Government all matters of that kind. The gentlemen who have come to hand me an official notification of my nomination will, therefore, I know, excuse me from saying anything at this time and place. As for you, my friends and neighbors for more than twenty years, it has been my chief delight to spend one day at least in the week among you. I have enjoyed myself in your society and I have had the recreation which my physical nature required in working on my farm. These reunions were very gratifying to me, but the critical state of my wife's health, and the ill-natured and I must say impertinent remarks and criticisms of certain journals have rendered these gatherings a source of uneasiness and discomfort to those who have united with us. You will, therefore, kindly cease your visits for the next few months; then, in November, the election will be over, and I trust that we shall, after that, have occasion to meet in this grove and renew our expressions of friendly regard toward each other, and hope and pray for each other's long life and prosperity. I trust these few remarks will not be incorrectly reported."

After the cheers which followed, one of Mr. Greeley's enthusiastic neighbors could not restrain a few words to show the visitors how much "the next President," as he called the Chappaqua philosopher, was thought of in the neighborhood; and, in the midst of merriment created by his concluding statement that "every woman in Westchester was for Horace Greeley—to a man," the assemblage dissolved

for social enjoyment, with more cheers for Greeley, and especially the ladies.

Greeley's letter of acceptance of the nomination for the Presidency ended with this notable passage:

"With the distinct understanding that, if elected, I shall be the President, not of a party, but of the whole people, I accept your nomination in the confidential trust that the masses of our countrymen, North and South, are eager to clasp hands across the bloody chasm which has too long divided them, forgetting that they have been enemies in the joyful consciousness that they are and must henceforth remain brethren."

The fraternization of men from North and South, the brotherly union of representatives from the coral reefs of Florida, the sandy beaches of Jersey, and the gold coast of the Pacific, in the support of a recognized champion of freedom, was regarded as an evidence of assured success. But the entire bulk of Democratic voters could not be brought to view the current of the tide in its true light. The stupendous revolution out of which the candidacy of Horace Greeley was born was not easily comprehended by the masses. Rather than contribute to their own success under his leadership, they failed to give him their support; and while Democrats refrained from participating actively in the battle in sufficient numbers to overbalance by far the host of Liberal deserters from the Republican ranks, others insisted upon holding a Rump convention at Louisville, Ky., and, in face of his absolute refusal, nominated Charles O'Conor, of New York, as a candidate for President, and, supporting him at the polls, managed still further to demoralize their party. They were unable to divest themselves of old-time prejudices against one who had been their powerful political opponent. They did not rise to that height of statesmanship occupied by the leaders of the party, and, from motives of sincere though misguided and ill-judged party fidelity one of the most brilliant strategetical moves ever attempted in the field of American politics, proved an overwhelming failure.

Scarcely a month after the nomination of Mr. Greeley, for the Presidency, his old journalistic rival, James Gordon Bennett, departed this life; and on the thirtieth day of November, 1872, before the votes which had been cast for him had been officially canvassed—though his overwhelming defeat was conceded the day after election—Horace Greeley was numbered among the dead. Henry J. Raymond and James Gordon Bennett preceded Greeley on the dark and unknown voyage of the hereafter; but neither of the two former left such a void as did the last and greatest of the triumvirate of famous editors of the New York press, whose capability of achieving lasting results was unequalled. No other man of his time contributed a tithe of what Greeley did to shape the events of this continent and influence the destinies of the Republic. Fierce, fiery and unrelenting while wrestling with an enemy, he relaxed his anger and held out the hand of friendship and brotherhood to the vanquished, as soon as the contest was decided. It was this intuitive leaning to the side of mercy and fraternal benevolence which, in the eyes of thousands of his earlier friends, appeared as an eccentricity, a weakness, in Mr. Greeley, but which met the heartiest approval of his former antagonists. It was the proverbial divinity of forgiveness in his composition that captivated the broken heart of the conquered South—that brought millions of his former Democratic opponents enthusiastically to his support.

The death of few men in our country was ever marked with such manifestations of public grief as was the demise of Horace Greeley. Not only in the metropolis, but throughout the country, the same evidences of general and genuine sorrow and sympathy were exhibited. There is little doubt in the minds of his friends that he was broken-hearted and humiliated by his defeat, and the labor and strain of the canvass were, in his overworked and prostrate condition, more than his constitution could stand.

Reminiscences of such rare characters as Horace Greeley are always interesting, and I shall close this letter with one or two incidents which, I think, may entertain you.

During the canvass for the Presidency, Mr. Greeley was of course much pestered by interviewers. A Western woman, named Mrs. Fernando Jones, who came to New York to attend the National Female Suffrage Convention, was very anxious to know how he stood on the Woman Suffrage question, and she asked Susan B. Anthony, the perennial Suffragist, what she thought about her getting him to "declare his intentions" on the subject uppermost in their minds. Susan told her it was useless to try to get an interview with him on that question just now. But Mrs. Duniway, editress of a Female Suffrage organ in the Far West, said she "was not afraid to beard the lion in his den." So she and Mrs. Jones undertook the job together; and this is the report Mrs. Jones gave of the interview:

"We had much difficulty in gaining admittance to the white-coated philosopher, but we were persistent, and finally entered Mr. Greeley's den. When we had introduced ourselves, Mrs. Duniway came right to the point, saying: 'I am editing a paper in Oregon; I am opposed to Grant; and hence would like to have your opinion on the subject of Woman Suffrage, to lay before the people of Oregon. We want to know what we are to expect of you.'

Mr. Greeley—'Oregon is a very uncertain State. There is too much whiskey in that locality. There are many more saloons than school-houses.'

Mrs. D.—'There are not as many saloons in proportion to the population as there are in New York, where you ought to have considerable influence. In my opinion, this is the most God-forsaken place I ever saw. I think, sir, you ought to have done more for your own city.'

Mr. G.—'Humph! yes.'

Mrs. D.—'Here is a copy of the New York *Tribune* of 1859, in which you advocate not only Woman Suffrage, but contend that women should be eligible to office. I understand that you have said that you have not changed your mind on the subject.'

Mr. G.—'That's wrong. What I did say was that I had not changed my opinion within the past four years. I have two daughters, and I would prefer that they remain women.'

Mrs. D.—'What do they think about it?'

Mr. G.—'I don't know. One of them is a Roman Catholic, and I don't think she cares much about it, either one way or another. The other would rather go to the theatre than a Woman's Suffrage meeting.'

Mrs. D.—'I think either one of them might be better than they are, and I think you are responsible. What do you think of women holding office?'

Mr. G.—'I think they ought to stay at home and attend to their household duties. The women at the U. S. Treasury Department have become very much demoralized.'

Mrs. D.—'Do you mean to be understood that all those women are demoralized?'

Mr. G.—'No, not exactly; but I believe some of them are not as good as they would be if they had never seen Washington.'

Mrs. D.—'I had an idea that you might wish to place yourself on record as favoring Woman Suffrage, since there is a strong probability that it will be successful at no distant day.'

Mr. G.—'I have no ambition or desire to place myself on record. As you say, it may be successful. But it will be so only for a short time. It cannot endure.'

Mrs. D.—'I think it will continue as long as Male Suffrage; for that is about as corrupt as it can be.'

Mr. G.—'I think, when everybody else is in favor of this matter, I may be brought to think well of it, too; but then it will be of no advantage to you. I wish you a pleasant good-day, ladies.'"

After she had completed her recital of the interview, Mrs. Jones was asked:

"Well, what is your opinion of Horace?"

Mrs. Jones (indignantly)—"I think he is as ill-bred as a hippopotamus and as boorish as a clod-hopper. He appears to me like a fool; but I am told he has had that appearance since he attained manhood."

During the period of the Tyler administration, a prominent Hebrew, Major Mannassah M. Noah was editing a paper called *The Union*, which was devoted to the political interests of the then President. Noah was especially antagonistic to Greeley, who was then a pronounced Whig, and was always trying to make points against him. So, one day, Noah started a story that Horace Greeley had

been seen taking his dinner in a Barclay street restaurant, along with two colored men. This brought out a card from Greeley, in which he neither denied nor acknowledged the story told by Noah, but declaimed emphatically against entertaining any prejudice against any man, on account of either his race, religion or color. Then he "went for" Noah, declaring that it was very inconsistent for a Jew to appeal to prejudice against other men, when the Jews themselves had so long and so bitterly suffered from prejudice. "Where there are thousands who would not eat with a negro," said Greeley, in his card, "there were until recently—perhaps there still are—tens of thousands who would not eat with a Jew. We leave to such renegades as Noah (the 'Judge of Israel,' as he is called) the stirring up of these vulgar prejudices which to over one-half the world render him and his race an abhorrence." Noah had no more to say regarding Greeley's restaurant experience.

Greeley, when absorbed in the duties of his office, was always careless about his meals, and he got into the habit of depending upon one of his attachés, named Jones, to keep on the look-out for him in this respect. He would call out: "Jones, have I had my dinner yet?" and so on. Once, while at the house of a leading politician, he had been having a heated discussion, when the politician's wife invited him to partake of some refreshment. Without heeding what he was doing, Horace seized a plate of crullers, and emptying the contents on his lap, continued his discussion munching a cruller every now and then until he had finished the lot. His kind-hearted hostess, fearing that in the absorption of the moment, Mr. Greeley had eaten so many crullers as to make himself sick, and having been told, that cheese, in moderation, was a capital digester, handed Mr. Greeley a small plate of cheese, hoping he would take a bite or two, and thus indirectly and unconsciously counteract the effect of the crullers. But Greeley,

in his excitement, treated the cheese precisely as he had treated the crullers, and finally all the cheese disappeared, to the astonishment and alarm of his sympathetic hostess. A few minutes later, the discussion having ended, she was astounded to hear Mr. Greeley, evidently unconscious of what he had devoured, deliver an eloquent harangue on the virtues of graham or brown bread, and denounce with vigor the pernicious fondness of Americans for cheese.

Mr. Greeley was noted, among other peculiarities, for writing a most illegible hand. Mark Twain and other humorists have entertained the public with some funny stories upon this subject. But Greeley himself never relished them, and indeed was irritable when twitted on his peculiar chirography, and would insist that anybody could read his writing. He was not quite so good-natured on that subject as was Rufus Choate, the celebrated lawyer and orator, (uncle of our present Ambassador to England,) who was also noted for his illegible handwriting. In Court one day, while addressing a jury, he had recourse to one of his own letters which had been introduced in evidence, and started to read it; but after the first sentence he stopped short, frowning, and evidently struggling to make out the words, when the opposing lawyer quizzically said: "Are you not able, Mr. Choate, to read your own handwriting?" Mr. Choate paused, looked a little perplexed, and then replied, good-humoredly: "You see, I have three styles of penmanship; one I can read myself, another my secretary can read; and the third (turning his back to the Judge and speaking in a lower tone) all hell can't read."

Horace Greeley was Quakerish in his preference for simplicity of costume, and was habitually negligent of his attire. It was not a studied negligence on his part, for he was keenly sensitive on that score. His big brain gave scant heed to fashion plates, yet he disliked to be reminded of or caricatured for his frequent eccentricities of garb.

This recalls a delightfully funny story which I have never seen in print.

A man who had learned type-setting and the rudiments of journalism in the same office with Mr. Greeley, when both were boys, achieved a failure as editor of a small sheet in Pennsylvania, and came to New York to solicit a place on the *Tribune* staff. His conceit equalled his incapacity, but Horace provided for him (and temporarily got rid of him) by shipping him to Albany as an auxiliary correspondent. Although his matter had to be mercilessly carved or rewritten for the *Tribune's* columns, the new correspondent assumed considerable swagger at the State Capital. Returning to New York at the close of the legislative session, he felt swelled with a sense of his own achievements.

Walking into the editor's sanctum early in the afternoon, he found Mr. Greeley preparing to start for a meeting of Woman Suffragists whom he was to address. The Sage's greeting was friendly, but brief, for he was preoccupied and he knew his visitor to be a confirmed bore. As Horace was about to depart, the correspondent abruptly said: "Excuse me, Mr. Greeley, but one of your galluses is hanging down below the tails of your coat."

Depositing his satchel on a chair, and hastily pushing the obtrusive suspender out of sight, Horace turned upon the censor of his attire, and with caustic accent, exclaimed: "Anyhow, it's a d—n sight better than *your* Albany correspondence!"

None but a genius could have conceived so pulverizing a comparison!

I will conclude this letter with the last words that came from Greeley's lips, and winged his soul to its untraced flight: "It is finished."

NOAH DAVIS.

LETTER XXXV.

FIRST TRIAL OF TWEED—NOTABLE BAR ENGAGED IN THE CASE—WHAT MADE THE DEFENDANT SO CONFIDENT OF ACQUITTAL—ORDEAL THROUGH WHICH THE JURY HAD TO PASS—TESTIMONY OF TWO STAR WITNESSES—GARVEY IN MUCH PLASTER AND TILDEN IN A TANGLE—HOW COUNSEL GRIDIRONED THE STATESMAN—DISAPPOINTMENT OF THE JUDGE AT THE JURY'S DISAGREEMENT—TWEED'S CAUSTIC COMMENT ON THE SITUATION.

MY DEAR DEAN:

Following the conviction and sentence of Edward S. Stokes, in January, 1873, for the murder of James Fisk, Jr., (of which more hereafter), the case of The People against William M. Tweed was on the calendar of the Court of Oyer and Terminer for trial. It came upon the calendar at the preceding term of that Court, as it had at other terms, and was moved off by Tweed's counsel, who adopted every device for many months to postpone the trial. Now, however, on the 7th day of January, 1873, the counsel for the people insisted on proceeding with the case. Judge Noah Davis, elected Supreme Court Judge in the preceding Fall, on a reform ticket, as one of the results of the Ring disclosures, presided.

The policy of the defence was to defer the trial as far away as possible from the period of the disclosures, in the hope that public indignation would in time cool down, so that the defendant would suffer no prejudice (as it was claimed) from public clamor.

When the case was called, Tweed's lawyers moved for further delay, one of them stating that he had been six weeks preparing the case for the defence, and that he was

not "yet through with the beginning of the beginning;" whereupon the Judge remarked that, "considering the brevity of human life, this rate of preparation would postpone the trial to the next generation," and denied the motion. Then a motion was made to quash the indictment on several grounds; which, after a long argument by counsel, was also denied. Once more, counsel came to the charge, and moved that the prosecution elect upon which of the counts in the indictment they should try Tweed. "Upon all of them," responded counsel for the people. "What?" said David Dudley Field, one of Tweed's counsel; "there are fifty-five distinct offences charged, and four counts on each offence. This makes," he continued, extending his hands towards the Judge, in amazement, "two hundred and twenty counts in all."

"More counts than in a German Principality," said the Judge; "nevertheless, your motion is denied."

This grim pun of the Judge, followed so promptly by his adverse decision, impressed the defendant's lawyers that the new Judge was not to be lightly regarded, and after a hurried consultation they again came to the assault with various other motions, involving lengthy and presumably learned arguments, wherein, among other things, they desired to have the charges made more specific; all of which the Judge denied, and peremptorily ordered the trial to proceed the next morning.

Several indictments had been found against Tweed, including the one now before the Court, more than a year before; but they were tossed about, so to speak, during the year from term to term, the trials on them being put over, on one plea or another, until the public at large began to look at the whole affair somewhat in the light of a practical joke; and this was really the first time that any determined stand was taken. The majority of the old Judges were, in their hearts, friendly to Tweed, and while the trials were

postponed from time to time, on ostensibly good grounds, it was believed by many that this delay was the result of secret influence.

But during the year the managers of the Tweed prosecution, while making a show of resistance to the postponements of the Ring cases, were in reality only too willing to have them go over, Both sides were working adroitly for the same thing, but from totally different motives. On the one hand, Tweed wanted delay in the hope that gradually the whole affair would die out, and end as similar things on a smaller scale had done before. On the other hand, O'Conor, Tilden and Peckham knew that to try Tweed before one of the Ring Judges, which could be easily managed by the Ring District Attorney, was to invite not only their own defeat, but perhaps a triumphant vindication for Tweed. The disclosures and indictments, together with the fulminations of the press, kept alive the public feeling against the plunderers; and the sagacious prosecutors of Tweed were secretly waiting until the people would elect anti-Ring Judges and an anti-Ring District Attorney, in the fall of 1872. Their plans and their patience were rewarded by the verdict of the people at the polls. As soon as the new Judges and the new District Attorney were inducted into office, in January, 1873, the Tweed prosecutors were, for the first time since the indictments, really ready for business.

Tweed was enormously wealthy in ready cash, and he had in his defence many leading members of the Bar, including David Dudley Field, John Graham, John E. Burrill, William Fullerton, William O. Bartlett, Elihu Root, Willard Bartlett, and others of minor note. The people were represented by the new District Attorney, Benjamin K. Phelps, and his assistants, Daniel G. Rollins, Wm. Lyon and others; and associated with them as special counsel, on behalf of the Attorney General of the State, were Lyman Tremain and

Wheeler H. Peckham, who really had full charge of the prosecution.

It was a notable Bar in every sense. Tweed's lawyers were selected with good judgment. They were not only prominent, politically and socially, as well as learned and able professionally, but they represented the different parties and factions in politics, some being prominent Democrats, some prominent Republicans, and some, shining lights of Reform movements. With this combination of influence and talent, behind the vast resources of the Ring, it was no wonder that the people at large scouted the idea that any serious harm could come to Tweed. Large crowds attended the Court during the very first days of the trial, and crowds attended in increasing numbers to the end; but they were, for the most part, the followers of Tweed, and they came more for the novelty of the thing than through any apprehension that he would be convicted.

Tweed himself came into Court with the same suavity of manner and gracious smile that had always characterized his entrance into the Senate Chamber at Albany. The passing joke of Judge Davis above referred to was highly appreciated by him, for he not only laughed at it, but, in doing so, looked at the Judge and half nodded his approval. With the vast majority of the crowd that assembled in the Court-room he was as much an object of adulation as if he were seated in Tammany Hall in all his glory; and, possibly, they were only restrained from giving him "three cheers and a tiger" by the presence of the Judge.

Why did Tweed have this confidence? The disclosures published in the New York *Times* were conclusive, to any ordinary intellect, that the proofs of his guilt were at hand. Besides, the examination by Samuel J. Tilden of the books and accounts of the Broadway Bank, where the City deposited its funds, demonstrated to a mathematical certainty,

that Tweed had stolen more than $1,000,000, and that the aggregate stealings by himself and others, amounted to $6,000,000. More than this, on the affidavit of Mr. Tilden, in a civil action, brought on behalf of the City to recover the $6,000,000, Judge Learned had issued an order for Tweed's arrest some ten months before, on which Tweed gave bail for $1,000,000. This latter case was not yet tried, and the general belief was that it never would be tried. But why should Tweed himself, who knew the truth of the charges, and of the existence of the proofs, be so confident that he could not be convicted? The answer is here.

In 1870 the Ring procured the passage of a law which was a most cunningly devised scheme to protect them from harm in just such an emergency. Different from what had been the law, and different from the law applying to every other County in the State, the Commissioner of Jurors of the City and County of New York was made the sole judge of the qualifications of persons to be placed on the list from which Jurors were to be drawn. No property qualification was required, either real estate or personal, and under its provisions a pauper might be placed on the list. In order to keep up a semblance of the former law without impediment to the main object, it was provided that the Commissioner of Jurors "may" excuse a Juror if he was not worth $250. Neither party at a trial had any legal right to object to a Juror on the grounds that he had no property qualification, because the law made the Commissioner's judgment final and conclusive. The Commissioner of Jurors at that time was Douglas Taylor, a Sachem of the Tammany Society, and a member of the Tammany Hall General Committee of the Fifteenth Ward of the City. It was a fair presumption, on the part of Tweed, that his interests in that direction were in safe hands.

On the eighth day of January, 1873, the work of select-

ing a Jury began. The Court room was crowded, and those assembled had a rare day's fun. Each proposed Juror was put through a searching catechism. Did he read the papers, and, if so, what did he read? Did he read of the Ring frauds? Did he know Tweed? Did he ever hear of his being charged with fraud? Did he form an opinion; if so, was it strong, weak, good, bad or indifferent, and was it changeable or unchangeable? Did he hold office, or did he try to, and was he now willing to? Did he go to political meetings; and, if he did, why; and what was it, and where was it, and what was his motive? Did he know the local leader of the Ward he resided in; did he ever drink at his bar; if so, was he in the company of that leader? Was he ever arrested, and, if so, who was the politician that got him out of jail? Was he acquainted with any of Tweed's family, or with any of his relatives? Was he a member of any political organization, and, if so, what was it? Was his memory good or bad? Could he read newspaper articles and still be able to think for himself? Was he, or was he not, of the opinion that he could give a conscientious verdict on the evidence, in compliance with his oath to do so? And a hundred-and-one other pertinent or impertinent questions were put to him, to test his qualifications as a juror.

If the proposed Juror said he belonged to Tammany Hall, or to any faction of the Democratic party, he was peremptorily challenged by the prosecution; and if he said he belonged to the Republican organization, he was peremptorily challenged by the defence. After a number of citizens had been put through this ordeal, in which their entire careers were investigated, their innermost thoughts probed, and their motives for personal acts often impugned, at least by insinuation, the name of Louis Arnheim, clothier, of Third avenue, was called out by the clerk.

Mr. Arnheim had never been summoned for Jury duty

before, and the process of investigation of a proposed Juror's fitness was entirely new to him. For over two hours, he had been watching intently the process in which his fellow-citizens (called to perform Jury duty at great sacrifice to their private interests), were relentlessly tossed about and bantered, on the one side and then on the other, before a gay and snickering audience, and finally cast aside as worthless for such public service. Whenever the audience laughed at the answers of the victims, or the witticisms of the lawyers, Mr. Arnheim refrained from joining in the merriment, being conscious that the time was approaching when he himself would be on the rack, and perhaps the object of sport.

A very nervous little man, of quick movement and alert attention, Mr. Arnheim jumped abruptly to his feet when his name was called, forgetting, for the moment, that his hat and overcoat were on his knees. Both of these articles fell to the floor, and in his haste to pick them up, he made so violent a plunge for them that his eyeglasses fell off his nose, and their recovery added to his delay. These mishaps naturally increased his nervousness, and to make up for lost time, he walked with such speed and recklessness towards the Bench that he knocked against several chairs on the way, augmenting his confusion. By the time he reached the witness chair he felt conscious that he had made a bad beginning, and he took his seat with as much trepidation as if he were on trial for his life. He was put through the entire formula. Among other things he admitted that he had heard of Tweed by reading the newspapers, but had formed no opinion as to Tweed's guilt or innocence. Then the examination, as appears by the record, proceeded as follows:

Q. "Do you belong to any political organization?"

A. "No, not exactly, but I once gave a subscription to raise a banner."

Q. "Ah! a banner! who for?"

A. "I don't know. He was beaten at the election." [Great laughter.]

Mr. Arnheim, at this manifestation of innocence, was promptly accepted by both sides. One Bannin, aged about fifty years, was next called.

Q. "What is your business?"

A. "I am a gentleman."

Q. "How old are you?"

A. "Under seventy-five." [Great merriment and nods of approval among the audience.]

Mr. Bannin was rejected as unsatisfactory. The next was a man named Burnham.

Q. "Have you read in the papers about the charges against Tweed?"

A. "Yes."

Q. "In what?"

A. "In the cars." [Laughter in which the Judge and Tweed joined.]

Being asked what he had read particularly, he looked up to the ceiling, frowned in deep thought, scratched his head, and at length said: "I read the headlines 'Boss Tweed, the Boss Thief of the World.'" This provoked more laughter, in which, however, Tweed did not join. The defence rejected Burnham as clear y incompetent.

And so it went on, until the close of the day, when seven Jurymen were accepted and sworn in. In adjourning Court the Judge cautioned the Jurors that t ey must talk to no one on the subject of the trial, nor permit anyone to talk to them on the subject, or to talk of it in their hearing; and if anyone insisted on doing so, it would be their duty to report it to him, and he would see that proper punishment was meted out.

Next morning, the probing was renewed, and the lawyers on both sides instead of, as one would suppose, shortening the inquisitorial process, seemed to have grown more cranky, for they indulged in legal wrangles revealing abstruse learning on the subject of competent and incompetent Jurors; all of which, reduced to an analysis, was a conclusive demonstration that, if the proposed Juror read newspapers, it was an evidence of over-intelligence, clearly disqualifying

him, and if, on the other hand, he did not read the newspapers, he was regarded, naturally enough, as not possessing sufficient intelligence to sit on a Jury. It became tedious. In one case, it took exactly two hours and ten minutes to find out that a proposed Juror was invincibly ignorant.

But this dismal monotony was at last broken, when Bennison R. Parker (who, it was discovered after the trial, had been for years a "bummer on the docks,") took the stand. He said he had been once a school teacher, once a policeman, and was at present an oysterman. Then his examination took this shape:

Q. "What papers do you read?"
A. "Any papers I can pick up."
Q. "Have you formed any opinion as to the guilt or innocence of Mr. Tweed?"
A. "The papers do not agree."
Q. "So then you disagree?"
A. "Exactly so. I have formed no opinion."

Then a new line was taken up:

Q. "You sell oysters for a living?"
A. "Yes, sir."
Q. "Where do you buy your oysters?"
A. "I don't buy them."
Q. "How can you sell, if you don't buy them?"
A. "I sell on commission. [Laughter.]

Mr. Parker was accepted.

A curious specimen was the next candidate, Zachariah Stern.

Q. "Have you an opinion on the question of Mr. Tweed's guilt?"
A. "I have so decided an opinion that I won't give it up, nohow."
"Then we give you up anyhow," said Tweed's counsel.

Then there was another "intelligent" citizen, a druggist named Thurston.

Q. "What papers do you read?"
A. "The *Times* and *Evening Post*."
Q. "Have you then formed an opinion?"
A. "Yes, and nothing can change it."

Q. "Would not strong sworn evidence change it?"

A. "Not at all."

Q. "You could not render an impartial verdict if placed on the jury?"

A. "Not at all."

Two jurors were still lacking when the Court adjourned. Next morning the inquisition was renewed. But before it began, Mr. Peckham, for the people, precipitated a lively row, by stating that he had in his possession proof that the third Juror, Michael Pifford, sworn in on the first day was a member of Tammany Hall, and was the special friend of "Bob" Clifford, chief clerk under Tweed, as Commissioner of Public Works, and asked to be allowed the right of challenging him peremptorily.

Mr. Peckham declared that he had received information from two independent sources relating to this particular Juror. The defence made strenuous efforts to retain the Juror on the panel. Mr. William O. Bartlett, one of Tweed's counsel, became quite excited during the discussion and in an ecstatic manner declared "that there is not one of the counsel or the defendant who is not as pure as the prayers which childhood breathes to heaven above." At this point Tweed assumed a look of juvenile innocence. After a lengthy discussion, in which the defence insisted that Pifford could not be removed after having been sworn in as a Juror, Judge Davis ordered him off the Jury.

Henry Miller, the next person called, was a carpenter; had read all about the Ring frauds. "I have read so much," he said, "that I don't know what to think about the charges of fraud." "Were some of the charges in your opinion excusive?" he was asked. Evidently supposing that counsel said "excessive," he answered promptly, "Well, a man may charge high, and not be a fraud!" (Laughter.)

He was challenged for favor and referred to the triers, selected by the Judge, who were to pass upon his competency.

This process requires a short explanation.

Under the law the prosecution had five and the defence five peremptory challenges; that is to say, when, as the result of an examination, a proposed Juror is found to be competent, either side nevertheless may exercise the right arbitrarily, and without any explanation whatever, of setting him aside by means of a peremptory challenge. In an important case, each side reserves as many as possible of these challenges for future contingencies, and if either side has secret objections to a Juror, the Judge is called upon to select triers who are to determine, as a question of fact, whether or not the Juror possesses the necessary qualifications. In the case of Miller, the prosecution, not liking the moral tone of his comment upon those who "charge high," and not desiring to lose one of their peremptory challenges upon him, which were now becoming exhausted, called for triers. Accordingly, the Judge named Mr. Arnheim, foreman of the Jury, and the Juror next him, as the triers to pass upon Mr. Miller's qualifications. After the triers had consulted for some time, Judge Davis asked, "Are you agreed, gentlemen?" "I am "agreed," said Arnheim; "but the other Juror is not!" (A roar of laughter, in which the prisoner joined.)

Mr. Robert A. Greacon was the next to be examined.

Q. "Have you been connected with any political organization?"

A. "Yes, sir; I belonged to a campaign club that was working last election to elect a Reform Mayor."

Q. "Oh, then you voted for Mayor Havermeyer?"

A. "No, sir; I voted for Jimmy O'Brien." (Laughter on all sides.)

At the close of the third day "twelve good men and true" were found in the Jury box ready for business; but, the hour being late and next day being Saturday, the proceedings were adjourned until Monday morning. At the opening of the Court on Monday morning, January 13, another sensation was created by District Attorney Phelps,

who stated in open Court that he had received communications relating to some of the Jurors, of so serious a nature as perhaps to prevent the trial from going on; that the information had reached him so late that he was unable to consult with associate counsel; and he asked for a recess of one hour for that purpose.

This being granted, the counsel for the prosecution retired to an adjoining room, while speculation was rife as to the cause of this unusual proceeding. Finally it leaked out that the strictures were leveled at the eleventh Juror, who, it had been discovered, had been a member of the Americus Club, of which Tweed was the presiding genius. After discussing the subject, the prosecuting lawyers concluded that this in itself was not a good reason for the removal of the Juror, and all returned to the Court room; and, without a word of explanation, Mr. Peckham started off with his opening address to the Jury, which occupied the greater part of the day.

He waded through mazes of figures, vouchers, statutes, which presumably he understood, but which were "Greek" to the Jury. He explained how unfortunate it was that, for the offence charged, the statute only provided for one year's imprisonment, and a fine of $250. Next day the taking of testimony began, but little in this direction was done, the day being spent in numerous and lengthy arguments as to the admissibility of certain documentary evidence, and the no less lengthy decisions of the Judge. Thus, day after day, the trial dragged its slow length along, the Jury listening to arguments and testimony about vouchers, certificates, warrants, signatures, pigeon holes, Board of Supervisors, Boards of Audit, deposits, debits and credits, checks, items and totals, all of which had such a soporific effect on them that they had a hard struggle to keep their eyes open. There was not a single paper, or any evidence relating to it, that some one of Tweed's lawyers did not

make a long speech in pointing out objections to it. At length, Judge Davis said "the ingenious objections of counsel were antagonistic to any practical administration of Justice;" but this had no effect on the opposing counsel, who seemed to have entered into a contest as to who could talk the longest on the smallest point. Part of their aim seemed to be, to show skill in saying, in different ways, what their associates had already said, and in many instances, what they had already said themselves.

On the ninth day of the trial, the monotony was broken by the appearance of Andrew J. Garvey on the witness stand, for the prosecution, and, if I must say it, as an "informer." Garvey was a celebrated plasterer; that is to say, he became celebrated in his calling because he charged over $3,000,000 for plastering the New Court House, when $500,000 would perhaps have been a reasonable price for it. But then it must be said, in extenuation, if not in exoneration, of this gigantic extortion, that he had to divide it with others "for the good of the party." Some of Garvey's testimony looks as if it were inspired by malice, for it travelled into a domain which, only by a strained construction, would seem to have been germane to the question at issue. Garvey testified that James H. Ingersol, (the celebrated chairmaker who supplied $5,750,000 worth of furniture to the New Court House) came to him and said: "The old man [meaning Tweed] wants $50,000 from me, $50,000 from you, $25,000 from Keyser, $25,000 from Miller, and $25,000 from Archie Hall." "Ingersol also said," continued Garvey, "that I must get somebody to take the money to Albany, somebody who could be trusted, to give it to Mr. Tweed personally; and my brother John finally took the money to Albany and gave it to Mr. Tweed. He went to Albany that same night."

Then Garvey told how Tweed had talked to him about the investigation of the affairs of the City, by the Senate

Committee, and had declared that "the only way to fix it was to buy up the Committee. Somebody's got to put up for it, and you must put up for it, too."

During this testimony, which produced a profound sensation in Court, Tweed's face became crimson with rage, and he glared so ferociously at Garvey, whom he had lifted from comparative poverty to great wealth, that Garvey shifted uneasily in his seat, his face twitching and his hands trembling; whereupon John Graham, Tweed's leading counsel, partly rising in his seat and pointing at the witness, said, impulsively: "Watch that man's face as he looks at Mr. Tweed!"

This created much confusion, and brought forth protests and objections from the prosecution. Judge Davis rapped for order and, looking at Mr. Graham, said: "Do you want me to appoint somebody to watch his face?" The query restored good-nature, and the Court took a recess.

During recess, Tweed followed Garvey into an ante-room, and twitching with rage and fury went towards him and kept muttering something in a low tone, as he fiercely glared at him. Garvey walked away in evident fear. Being asked what Tweed had said to him, Garvey answered: "His language was blasphemous." Garvey went on the stand again after recess, and literally "gave everything away." He was on the stand several days, and in the course of his cross-examination, referring to his departure to Europe after the Ring disclosures, he stated that he had left because he feared assassination at the hands of the Ring.

On the thirteenth day of the trial, came on the star witness, Samuel J. Tilden. Mr. Tilden, who was then fifty-nine years of age, was known to be ambitious for the Governorship of the State, (to which he was elected the following year) and those opposed to him within his own party, as well as those outside of it, endeavored to belittle his

services in the cause of Reform, and to attribute his stupendous efforts against Tweed and Tweed's associates to his aspiration to obtain control of the Democratic party in the City and State for his own political aggrandizement. His examination of the accounts of the Broadway Bank, in which he showed such marvelous ability in ferreting out the Ring frauds, made his testimony the most important part of the trial.

Wheeler H. Peckham conducted the examination for the prosecution, and he did not proceed far before it became apparent that he and Mr. Tilden had rehearsed that part of the programme. They almost immediately plunged into the intricacies of book-keeping, accounts, deposits, warrants, debits and credits, moneys, generally millions, which were an enigma to everyone present except themselves. Peckham and Tilden had all the play between them. Now and again, Tweed's lawyers, to show that they were not entirely ignorant of the subject, threw in an objection at random, only to be invariably overruled by the Judge, who looked as if he were suffering mathematical agony in following the rapid rush of figures. The Jury knew as much of what Mr. Tilden was testifying about as if he had been speaking in the Sanscrit language. After a while the defendant's lawyers abandoned all interruption, not only as useless, but perhaps as dangerous to their reputation, in that they might only expose their ignorance. And so such great lawyers as Graham, Field, Fullerton, Burrill and Bartlett, never known to have been silenced before, sat there and listened, in utter despair, to the jargon of numerals, of thousands, tens of thousands, hundreds of thousands, and millions. It was plain that Tilden enjoyed how he had silenced them.

After he had testified for some time, the witness stopped short in scanning an array of papers, which he had been carefully arranging on his knee, and said, blandly: "I will

say to counsel and the Court, that I am here as a sworn witness, to tell the truth, without fear or favor." This declaration of his intended fairness, before any one even attempted to impugn his motives, was seized upon by the defendant's lawyers as an opportunity to say something. Fullerton asked, sarcastically: "Is that speech included in your sworn statements?" and Burrill quickly added: "That is the shortest speech, probably, you were ever known to make." At this point, Mr. Tilden and Mr. Peckham appeared a little tangled up in their figures, and Mr. Tilden, looking at the clock, said that it was so near one o'clock he would suggest that a recess be taken. The Judge complied with the request. After recess, Tilden returned to the stand refreshed, and proceeded to testify without the slightest interruption.

It happened that when Mr. Tilden was testifying the next day, after Mr. Peckham had put him a question on some elaborate figuring, the witness turned to the clock again, and repeating his ruse of the preceding day, said: "Let us take a recess;" whereupon Mr. Field arose, and, with mock courtesy and gravity, asked: "To what hour do you adjourn the Court, Mr. Tilden?" The sally created loud laughter at Mr. Tilden's expense, but he answered quickly, "'Till half past one." Judge Davis joined in the joke, saying, "So be it, gentlemen."

But Tilden did not have such a pleasant time, during his cross-examination. When Field questioned him on a line which tended to impugn his motives in prosecuting Tweed, his irascible temper was aroused.

Q. "Have you and Mr. Tweed been in violent political antagonism for years past?" inquired Mr. Field.

A. "We haven't generally sympathized very much."

Q. "Was there not a notable contest between the Young Democracy and Tammany Hall, and were you not allied to the Young Democracy?"

A. "I went to Albany and made a speech against the Charter before the Senate Committee of which Mr. Tweed was Chairman."

WHEELER H. PECKHAM.

Q. "There was a very violent contest, I believe, over that Charter?"
A, "It did violence to no person, so far as I know."

Judge Davis interposed by saying that the introduction of politics was not necessary. Field replied that he desired to show the animus of the witness. To another question, Mr. Tilden said, "I was not attached to that side. I acted on my own hook." Q. "Well, as there were already two sides in the contest, yours must have been the third hook?" Mr. Tilden, in his noted sly way, and with peculiar emphasis, said: "My hook was an independent, personal hook." This elicited laughter, in which the Judge joined.

Mr. Tilden was visibly angry, and he shied off from the next question. When Mr. Field said "I didn't ask you that, Mr. Tilden," the witness snappishly replied, "You won't let me tell without interruption. Now just sit down, and I will answer you." (Laughter.)

"Oh," said Mr. Field, "thank you, Mr. Tilden; but, never mind; I have been sitting some time, and it relieves me to stand up, if it's all the same to you." (Laughter.) Tilden was now very angry.

Asked about some accounts in the Broadway Bank, he answered: "There was a struggle at that time going on to oust the Comptroller of the City." "Was that struggle going on in the Bank?" broke in Mr. Field, mockingly. This thrust and the laughter which followed so provoked the witness, that he seemed choking with rage, and he stopped short.

"Go on, Mr. Tilden," said Mr. Peckham, soothingly.

"I can't go on when he (Field) stands there, and browbeats me."

"Oh," said Mr. Field, in surprise, "why, sir, I—I—I—"

"Well, sir," Mr. Tilden interrupted, "I consider your conduct insolent and indecent." (Sensation.)

Mr. Field, (calmly,) "Well, indeed, if the witness was

not ill, as I think he must be, I should speak differently to this language."

Mr. Tilden, (excitedly,) "You can speak as you please, sir, and so will I."

This display of temper continued all day, at intervals, showing the bitter feeling which existed on both sides. Tilden did not relish being made to appear as having political motives in the prosecution of Tweed, while the Tweed side was determined to make the public believe that he was scheming, and had been scheming from the first, to get control of the party.

In this connection, Mr. Tilden admitted in answer to Mr. Field's probing questions that, while a member of the preceding Legislature, he introduced a bill having for its purpose the present prosecution; and he admitted further that ex-Governor Alvord, then an associate Member, told him that his bill was unconstitutional.

Mr. Field: "Did you then say to Mr. Alvord that it did not matter, for before its unconstitutionality could be determined, Tweed would be tried and in prison?"

Mr. Tilden: "No, sir. You are, as usual, very impertinent."

Mr. Field: "I now give the gentleman notice, that if he persists in this once more, I shall answer him in a way that will not prove agreeable to him. The witness must stop!"

Mr. Tilden (savagely): "Yes, and the counsel must stop."

Towards the close of the session, a great rumpus took place when Mr. Field objected to Mr. Tilden being assisted by his clerk in examining figures. Judge Davis stated that there was no great objection to this, and that he would allow anyone who understood the figures to give assistance, and he would give the same privilege to the other side.

Mr. Field jumped up and said, "But, your Honor, I submit that—"

Judge Davis: "That's right, Mr. Field, always submit! Crier, adjourn Court!"

Before Mr. Field could say another word, the Crier loudly adjourned Court, amidst general laughter at the Judge's play upon the counsel's submission.

Day after day the trial went on, hotly contested on both sides, until January 30, when Judge Davis, after a charge of three hours' duration, gave the case to the Jury. He concluded his charge in these significant words:

"You are to discharge your duty in the light of the evidence and under the sanction of your oaths, and should bear in mind that there is no stain more deep and damning that a Juror may bring upon his own character, than by being false to his oath and bringing in a false verdict."

After the Jury had retired and the Judge had gone to his chambers, the crowd lingered to await the verdict. The question with the vast majority of them, was not, whether Tweed would be convicted or not, but how many Jurors he "had in his pocket." They lounged around, and chatted, joked, and smoked, in a good-humored fashion. Many Tammany Hall politicians were present, but their manner indicated a "sure thing" for Tweed. It was whispered that the Jury would acquit him, but no one even suggested an agreement to convict, for it was whispered about that the Boss had "fixed things." Tweed and his sons were among the crowd, and were jovial and apparently happy.

After waiting until half past ten o'clock, the Judge resumed his seat upon the Bench, and ordered the Clerk to announce an adjournment until half past ten o'clock the following morning, the Jury being locked up for the night.

Next morning the Court-room was again crowded. Tweed made his appearance with his sons, and looked absolutely confident. He received the greetings of his numerous friends with perfect coolness.

At half past ten o'clock, Judge Davis sent for the Jury,

and when they filed into Court, so anxious were the audience, that nearly everyone present arose.

As the Jury took their seats, Tweed and one of the Jurors exchanged glances. Then Tweed turned the back of his chair to the Jury box and, gazing at the ceiling, could scarcely repress a smile. He tried to look bored at the length of the proceedings that followed, as a wholly unnecessary waste of time. In fact, he yawned.

Judge Davis, looking sternly at the foreman, said: "I understand you have not agreed." The foreman stood up and, looking at the Judge as if afraid to announce a disagreement, answered, "We have not." Still keeping his eyes on the foreman, the Judge paused, immersed in deep thought, which so disconcerted the foreman that, not knowing what else to do, he sat down.

"If the Jury had a little more time, do you think you might agree?" asked the Judge, slowly.

"No, sir; I don't think there is any chance," answered the foreman.

Again, there was deadly silence. After a pause of some seconds, the Judge, looking over the rows of Jurors, said: "Is there any other member of the Jury who desires to say anything?" The ninth Juror stood up and said: "I agree with everything the foreman said," and then sat down. The face of Judge Davis was a study. It bore evidence of his deep mortification. The "Boss Thief of the World," had outwitted the Judge, the prosecutors and all their cohorts, and slipped aside with ease from the talons of the law, in a case of guilt as clear as crystal. Was it for this, that the cases against Tweed had been permitted to go over for more than a year, in order that new Judges and a new District Attorney might be elected, who would not be his tools? And now, when the prosecution had not only all this, which they acquired as the result of the recent election, but had, besides, the help of the Attorney-General

of the State, to have this public malefactor go unwhipped of Justice, was not merely to have a bad moral effect on the community, but was a severe reflection upon the machinery of Justice. Besides, it was regarded as a serious set-back, politically, to certain "patriots" some of whom were publicly, and others of whom were privately, from the start, behind the prosecution.

Judge Davis, sincere in the public interests, was now convinced, that the hints given out during the progress of the trial, relating to some of the Jurors, were not idle rumor, and that there was a gross miscarriage of Justice. He gazed at the Jury, frowned, became flushed and pale by turns; then settled down in deep thought, and at last, as if awaking from a reverie, said, gruffly: "You are discharged."

When the Jury had gone, Mr. Peckham moved to retry the case without delay. A storm of objections met this, on the part of the defence. Field, Burrill, Graham and Bartlett were on their feet all at once. At length, Mr. Graham was heard, and he protested, that after three weeks' work, to have them enter immediately upon another trial would exhaust the physical endurance of counsel. He referred to Mr. Peckham as representing the State, who, of course, he stated, was happy to go on under the stimulus of large retainers; "but," he added, "if Mr. Peckham proposes to make the business of hunting Mr. Tweed a continual occupation, we do not."

Judge Davis said, after considerable deliberation: "A more serious difficulty than the fatigue of counsel is in the way of a second trial at this time, and that is, as to the legal right to extend the present term of the Court of Oyer and Terminer." The case then went over the term, to be again brought up at some future time.

In commenting on the trial, next day, Tweed said: "I

am tired of the whole farce. It's only a political trick. Nothing in it! No jury will ever convict me."

He was asked how the Jury stood, and he replied: "I understand that they stood eleven for acquittal and two for conviction." "But," said his questioner, "that makes thirteen; there are only twelve jurors?" "There was one Juryman and a Judge against me," he answered. "Judge Davis was Judge, counsel, witness and Jury combined; but I am not afraid of him. I am only fifty years of age; I have twenty years more to live, and I will live all this down."

But he was mistaken.

LETTER XXXVI.

RUNNING THE GAUNTLET A SECOND TIME BEFORE THE SAME JUDGE—UNSUCCESSFUL ATTEMPT OF TWEED'S COUNSEL TO CHANGE THE SITUATION—EXTRAORDINARY LEGAL DOCUMENT—UNMISTAKABLE ANNOYANCE BETRAYED BY THE JUDGE—SHARP RETORTS OF COUNSEL AND COURT—TACTICS OF THE PROSECUTION A SURPRISE—JURY AGREE ON A VERDICT—"GUILTY!" SAID THE FOREMAN.

MY DEAR DEAN:

More than ten months elapsed, after the first trial of Tweed, in January, 1873, before he was again arraigned at the bar of Justice for a second trial.

It is, perhaps, a strange coincidence that Tweed's first trial followed closely upon the heels of Stokes' first trial for the murder of James Fisk, Jr., in which Stokes was sentenced to death, and that, again, the second and last trial of Tweed followed closely the third and last trial of Stokes in which Stokes was convicted of manslaughter in the fourth degree, and sentenced to four years in State's Prison. Judge Davis presided at this last trial of Stokes, and as soon as it was finished, the Tweed case was pressed for trial before him for the second time.

I refer to these circumstances as peculiar, because, it must be remembered that, in the Stokes trial, there was involved much politics of the City and State, and the public mind was greatly agitated over the sombre, weird, and worse incidents of New York political life which were brought to light during the trial. Scandalous scenes were depicted by witnesses, in which political and judicial corruption played a prominent and infamous part. The murderer virtually defended himself by attempting to show

that the murdered man was a monster, who was clothed with such wrongful power, partly bestowed upon him by Tweed and his corrupt Judiciary, and was so reckless and conscienceless in using it, that the community had a happy riddance of him. The public mind, inflamed by the disclosures in the Stokes trials did not get a chance to cool down before Tweed's trial, in each instance, was pressed by the prosecution.

It was under these circumstances that, on the fifth day of November, 1873, the second trial of William M. Tweed came up, in the Court of Oyer and Terminer, before Judge Davis. The indictment was in book form of over one thousand pages, and it included two hundred and twenty different counts. Tweed appeared promptly at the opening of the Court, apparently chipper and happy, with his splendid array of counsel, including most of the leading lawyers of the City—the same galaxy which had appeared on the former trial—now thoroughly conversant with testimony which, during the first trial, was involved in the complexities of Mr. Tilden's figures. Presumably, therefore, they were far better equipped for this than they had been for the preceding trial, as the entire hand of the prosecution was laid bare before them in the stenographer's minutes of the former trial, which, during the past ten months, they had conned and studied to their hearts' content. They were afraid of only one thing—that Judge Davis would try the case. This they were determined, at all hazards, to prevent.

After a prolonged consultation the previous evening, they resolved upon a course which they had in contemplation many months, and which, however good in intention, brought severe judicial condemnation upon themselves, and, as some thought, over-severity to their client. As the result of their deliberations, Ex-Judge Fullerton, one of Tweed's counsel, at the opening of the Court, went

towards the Bench and handed Judge Davis a document, of which the following is a copy:

COURT OF OYER AND TERMINER.

THE PEOPLE, ETC.,

vs.

WILLIAM M. TWEED.

The Counsel for Wm. M. Tweed respectfully present to the Court the following reasons why the trial of this defendant should not be had before the Justice now holding the Court:

First. The said Justice has formed, and upon a previous trial expressed, a most unqualified and decided opinion, unfavorable to the defendant, upon the facts of the case; and he declined to charge the Jury that they were not to be influenced by such an expression of his opinion. A trial by Jury, influenced as it necessarily would be by the opinion of the Justice, formed before such time, would be had under bias and prejudice, and not by an impartial Jury, such as the Constitution secured to the defendant.

Second. Before the recent Act of the Legislature of this State, providing that challenge to the favor shall be tried by the Court, any person who had assumed a position in reference to this case and this defendant, such as said Justice has assumed, would have been disqualified to act as trier. The defendant is no less entitled to a fair trial of his challenges now than he was formerly. What would have disqualified a trier, must disqualify a Judge now.

Third. Most of the important questions of law, which will be involved in the trial, have already been decided by the said Justice adversely to the defendant, and, upon some important points, his rulings were, as we respectfully insist, in opposition to previous decisions of other Judges.

Although there may be no positive prohibition of a trial under these circumstances, it would be clearly a violation of the spirit of our present Constitution, which prohibits any Judge from sitting in review of his own decision.

The objection to a Judge, who has already formed and expressed

an opinion upon the law, sitting in this case, is more apparent from the fact that in many States, where Jurors are Judges of law as well as facts, he would be absolutely disqualified as a Juror.

DAVID DUDLEY FIELD.	J. E. BURRILL.
JOHN GRAHAM.	ELIHU ROOT.
WILLIAM FULLERTON.	WILLARD BARTLETT.
WILLIAM O. BARTLETT.	WILLIAM EGGLESTON.

While Judge Davis was carefully reading this paper his face assumed a severe aspect. After reading it, he said: "This is such an extraordinary document, that I deem it advisable to consult my brother Judges, before proceeding with this case, as to what action should be taken in the premises."

At the request of the prosecuting officers, Judge Davis handed them the paper for perusal. Its contents were disclosed to no one else, and people wondered what it could be that had so disturbed the Judge and occasioned a recess of the Court. When the paper was restored to his custody, the Judge said, without further comment: "The Court will take a recess for one hour."

After the Judge had retired, Tweed's counsel looked as if they had scored a brilliant point, and they predicted (among themselves) that Judge Davis would not venture, in the face of the protest, to try the case. They were therefore waiting on the tiptoe of expectation. The chief officer of the Court at last rapped for order, to announce the coming of the Judge, and all were hushed.

Slowly, and with great dignity, Judge Davis resumed his seat upon the Bench. His face was flushed with suppressed emotion, as he said, with grave deliberation: "In respect to the paper that has been handed to me, I and my brethren concur very fully as to the view I ought to take of it. Indeed, this extraordinary paper leaves me no alternative, if I have any self-respect whatever, except to go on; but I shall reserve, for a future occasion, such proceedings as, in my judgment, are required to vindicate the

dignity of the Court, and of the profession itself, from what I deem a most unjustifiable proceeding."

Mr. Bartlett—"I signed that document, believing that it was my duty, and I would do the same if your Honor was a saint from Heaven."

Judge Davis, (turning pale and knocking the bench with his gavel)—"Sit down, sir! I have examined the charge, given by myself, and it nowhere sustains any part of the statement, which I find to be unfounded as it is untrue. No further notice will be taken of this paper at present, but such action as may be deemed proper will be taken hereafter. Proceed with the case."

Mr. Graham: "I wish your Honor would permit an explanation."

Judge Davis: "I cannot allow any remarks on the subject."

Mr. Graham: "All I ask is an opportunity to show that the facts alleged in that paper are true."

Judge Davis (peremptorily): "No, sir!"

Mr. Graham: "You say, in the presence of Jurors summoned here, that we have departed from the truth, and I say, in the presence of my Maker, that we have not departed from the truth." (Sensation.)

Judge Davis (rapping with his gavel): "Counsel need not have any fear but that an opportunity will be afforded them; but not now."

Mr. Graham: "We ought to be the best judges of the proper time to prove that the paper was not untrue, and we want to prove it before the trial proceeds."

Judge Davis (rapping again, decisively): "The case must go on, now."

Mr. Graham asked to note an exception, but Judge Davis said: "No exception. Any lawyer can see that there is nothing to except to."

Now thoroughly demoralized, the defendant's counsel

held a hurried and, it might be added, a flurried consultation, and then Mr. Graham said: "Will your Honor allow us an opportunity to consider whether, after that disparagement, we ought not to retire from the case?"

Judge Davis (determinedly): "This case must go on. It must go on!"

Mr. Graham: "I have to suggest whether we should not be allowed to send for counsel to advise us. If we determine to desert Mr. Tweed now, it will be impossible for him to obtain at once counsel competent to carry on his case."

Judge Davis: "This case must proceed, sir. I shall give no time for counsel to mutiny against their client."

Mr. Graham: "I except to the remarks of your Honor, and especially to the word 'mutiny.' My oath knows no such word as 'mutiny.'"

Judge Davis: "No exception will be allowed. Proceed with the case."

Mr. Bartlett: "But we fear it will injure our client."

Judge Davis: "Proceed with the case!"

The object of counsel for the defence doubtless was, first to force Judge Davis to surrender the case to some other Judge, and, failing in this, to enter into a discussion of the contents of the paper, in open Court, where they expected to make it appear that Judge Davis's hostility to Tweed took the form of judicial persecution, and that this, being made the subject of public discussion, would affect the minds of the Jury to be selected to try Tweed. It was evident that Judge Davis saw through the device, and he foiled it with admirable skill.

Incensed at being so summarily checkmated, Tweed's counsel clustered together, looking crestfallen—like men who were beaten to a standstill; but the most fiery of them, John Graham, who never before knew what it was to be suppressed, impulsively sprang to his feet, at the same time

seizing a legal tome from a chair beside him, and wheeling about and holding the volume aloft in his right hand, faced the Judge in such apparently menacing attitude that most of the audience expected every moment to see the book flying towards the Judge's head. What Judge Davis expected just then at the hands, or rather from the hand, of John Graham, whose irate temper was well-known—and of which Judge Davis himself had unpleasant experiences during the celebrated McFarland murder trial, where they met as counsel at opposite sides—it is, of course, impossible to tell; but, if the truth must be told, Judge Davis, at that particular moment, did look very much disturbed.

At last, Mr. Graham, who was almost choking with rage, caught his breath and thundered forth, in a loud and almost ferocious voice: "I object to the jurisdiction of this Court. I proclaim that this case does not belong here, under the statute!" He then argued that the General Sessions alone had jurisdiction of offences specified in the indictment. Was this all, after all the fuss? Judge Davis heaved a sigh of relief, and he evidently was relieved. Was this, really, all that Mr. Graham was to do? Simply, to put forth a point of law, which had been completely threshed out on the former trial? Why, this was easy! Judge Davis smiled blandly and listened most courteously to Mr. Graham, who, thus encouraged, much to his surprise, made his argument a great deal longer than it ought to have been. At its conclusion, Judge Davis again, most courteously, reviewed at some length Mr. Graham's points, and then, also most courteously, overruled his objections.

Now began the dreary process of examining those summoned as Jurors. While this was progressing, the proceedings were suspended by an investigation into the conduct of the eighth Juror in the Stokes' trial—which had closed a few days before, as already related—wherein it appeared that this Juror, one James Delos Center, had during the

trial gone into certain resorts and talked about Stokes' chances, and stated that it was safe to wager that he would not be convicted of murder in the first degree, and made many other similar remarks, in violation of the instructions given by Judge Davis that the Jurors must talk to no one, or permit any one to talk to them, on the subject of the trial. Judge Davis impressively condemned the Juror to imprisonment in the County jail for thirty days, and to pay a fine of $250.

This was a solemn object lesson to the men who were to take seats as Jurors in the Tweed case, now in progress. Besides, it appeared in this investigation that the prosecuting authorities had in their employ a large number of Pinkerton's detectives, in addition to the corps of official detectives at the command of the District Attorney, to watch Jurors after they were sworn in, it being fully determined that "fixing juries" must stop as an efficacious defence for noted and wealthy criminals. So dilatory were the tactics pursued that the third day of the trial opened without a single Juror being sworn in. A law had been passed, conferring on the trial Judge the power of triers, and Judge Davis, having decided in favor of its constitutionality, proceeded to exercise that authority—a course which greatly expedited the proceedings; but, when he attempted to do so, Mr. Graham objected, unless he took the same oath as the triers. Judge Davis looked scornfully at Mr. Graham, and proceeded to pass upon the qualifications of one Orrell, and after considerable questioning, decided him to be competent. Whereupon Mr. Bartlett arose and drew the Court's attention to the fact that Orrell admitted a state of mind which was at variance with the prior rulings of the Court.

Judge Davis: "I cannot hear any further discussion after my decision."

Mr. Bartlett: "Would your Honor be kind enough to hear——"

Judge Davis: "I won't be kind enough to hear another word on the subject."

Mr. Bartlett: "Will your Honor be kind enough to hear a word on another subject?"

The Judge took no notice of him.

Mr. Graham: "As your Honor refuses to hear argument after decision, will you inform us, when the next Juror is called, that you will hear argument before decision?"

Judge Davis: "Sit down! Sit down!"

Mr. Graham: "Will your Honor——"

Judge Davis (very red in the face and hammering away with his gavel): "Sit down!"

Mr. Graham: "Allow me to refer you to an authority——"

Judge Davis: "What authority?"

Mr. Graham: "The authority of Chief Justice Chase, of the United States Supreme Court."

Judge Davis: "Be cautious, sir, or I will refer you to a still later authority."

Mr. Graham: "What did I hear, your Honor? That——"

Judge Davis (bending forward and interrupting Mr. Graham): "Another repetition of that, or anything of that character, will bring upon you something that will not be pleasant."

The foregoing is a fair specimen of the bitterness exhibited during the entire trial. On November 12th, the seventh day of the trial, the day's work closed with only ten Jurors in the box, although two panels had been exhausted, and they were now nearing the end of the third panel. Judge Davis, fearing interference with the ten Jurors already sworn in, determined on extreme measures, by ordering that they should be no longer allowed to go to their homes, but be confined under the charge of Court officers at the Astor House.

On the 13th of November, two Jurors were yet required. Judge Davis was determined to waste as little time as possible in selecting them, but he met with many difficulties. For instance, a pleasant, good-looking German, Joseph Adolph Marr, who would be ordinarily taken as a good specimen Juryman, in answering as to his qualifications,

said that he had been traveling in Ohio and other Western States, and that the feeling against Tweed was very strong out there, and everywhere he went the people were making fun of him (Marr) on account of the New York frauds, and, "to tell the truth," said he, "I believed then in hanging these people, but since I came back, well, I don't think them so bad." Mr. Marr was promptly rejected by the prosecution.

So adroit were Tweed's agents that they hired detectives to watch the detectives, and the fear prevailed among some of the gentlemen of the prosecution that one or more of their own detectives would be corrupted, as this would be the easiest way of all to approach a Juror. So, on the slightest suspicion, official detectives were relieved and others put in their stead. But, with all these precautions, one of the Jurors was approached; and it was done in the most open manner, yet surrounded with absolute safety so far as any criminal or other prosecution of the culprits was concerned.

The prosecuting counsel, on the afternoon of November 13, asked that he be allowed a challenge to the favor to be opened in respect to the eighth Juror, E. H. Lubry, who, he claimed, had been approached during recess by Police Captain Walsh. He asked that the matter be tried then and there in open Court. This being granted, two detectives (one from the District Attorney's office and one of the Pinkerton men who co-operated) swore that when recess was taken they had seen Capt. Walsh talk privately with Tweed, and then go out in the hallway and, meeting Juror Lubry, walk down stairs with him and talk with him for about five minutes. After this, Capt. Walsh had returned to the room where Tweed was. It also appeared that Lubry was formerly the private barber of former Senator Thomas J. Creamer, who was a colleague of Tweed in the Senate.

Capt. Walsh was sent for, but disclaimed any improper

motive in conversing with the Juror. Lubry corroborated this disclaimer. Having heard the testimony, Judge Davis decided in these words:

"I cannot bring my mind to the conclusion that this transaction was entirely innocent. On the contrary, it is covered all over with suspicion. Capt Walsh, a friend of many years' standing, meeting the Juror, is not a circumstance of grave importance; but that he should chance to be located at the time with particular friends of the defendant, such as his private secretary, and hanging around the ante-chamber and talking with the party implicated in the loss of the vouchers, and be there until the Jury left their seats, and then, without any intention of going home, shaking hands with the Juror and going down with him to the foot of the stairs, and anxious to know whether he was making plenty of money, and then coming back to the ante-chamber, covers the case with such suspicion that whatever verdict might be rendered would never be regarded by the public mind as an honest one. The Juror, besides, has not, in my judgment, acted with frankness in disclosing information that it was proper he should give. He has been the intimate friend of a distinguished politician, and he never told us. It is my duty, which I perform with more pain than pleasure, to discharge this man from the Jury, and get in his place one more likely not to be accosted by anyone as to his pecuniary success in business."

It took some time to secure another juror in Lubry's place; after which, twelve jurors being empaneled and sworn, Mr. Wheeler H. Peckham opened the case for the prosecution. During the course of his speech he stated that it was unfortunate that the prosecution might be obliged to use the testimony of such a concededly bad character as Andrew J. Garvey. This declaration had an important bearing on the case. The defendant's counsel expected that one of the principal witnesses for the prosecution in this, as he had been in the first trial, might be Andrew J. Garvey. They purposed to level all their guns on him when it came to their time to cross-examine him; thus, by making him odious out of his own mouth, they would be in a position to ask the Jury if they were ready to send a man to prison on the evidence of such an infamous

informer? This was what they hoped for as the strongest point of the defence. This same thing was what the prosecution feared as the weakest point in the case of the people.

Now, whether Mr. Peckham, when he addressed the Jury, really meant to put Andrew J. Garvey on the stand and subsequently changed his mind, or whether he made a pretense that he would do so, in order to send the defendant's counsel off on the wrong track and cause them to reserve all their ammunition for that event, is difficult to conjecture. But the facts are these: The prosecution called and examined several witnesses, and by their aid, damaging documentary evidence against Tweed was admitted. Then John Keyser was examined, to supply some connecting link in the chain. So was John Garvey, a brother of Andrew J. Garvey. This was all dull enough, and everybody, outside of the prosecuting officers, was waiting for the appearance of the great informer. Tweed's counsel especially were watching for him, as a tiger for its prey. When, lo and behold, Lyman Tremain, for the prosecution, arose and said, "The case of the people is closed." Consternation!

Mr. Graham was on his feet in an instant, the picture of dismay. At length he said "This is very surprising, your Honor. It was asserted by Mr. Peckham, in his opening speech, that the prosecution were going to call Garvey."

Judge Davis: "I have no power to force the prosecution to call Garvey, but if you want him, you are at liberty to call him."

Mr. Graham: "I call *him*! I would as soon call Lucifer."

Judge Davis: "That is a matter of choice."

Then Mr. Graham requested the Court to allow him a little time under the circumstances, as Mr. Bartlett was absent for a few minutes. While waiting for Mr. Bartlett, his son, Willard Bartlett, who also had been absent, came

in and said his father would be in Court presently. "When we went out," said young Bartlett, "we had no idea that the prosecution would so soon break down."

This provoked laughter, which young Bartlett did not quite comprehend, as he had been led to believe, from some remark made to him as he entered, that the prosecution had "thrown up the sponge."

The defence, after Mr. Bartlett's appearance, opened in a lengthy speech by Ex-Judge Fullerton. Next day, the defence put only three witnesses on the stand, and were careful not to call Tweed himself. On the 18th of November, the summing-up on both sides was concluded; Judge Davis began his charge to the jury about six o'clock; and the Jury retired. Crowds waited in Court to hear the verdict. Judge Davis retired to his chambers, and waited until three o'clock in the morning; then, not hearing from the jury, he came into Court and adjourned Court until ten o'clock that morning, the Jury being locked up in the interval.

Next morning, long before ten o'clock, the Court room was densely packed, and hundreds outside were unable to obtain entrance. Tweed, accompanied by his sons and numerous personal friends, came into the Court by the side entrance, a few minutes before ten o'clock. If he had any misgivings as to the result of the jury's deliberations, his appearance did not denote it. In fact, while not so brazenly confident as at the first trial, he acted with perfect composure. There was no friend of his who did not act as if Tweed was assured of another disagreement, or, perhaps, of an acquittal. While this confidence was at its height, inspiring jovialty all around, by some mysterious channel, word was conveyed to Tweed and his friends that everything was not all right—in fact, that there was great danger.

Judge Davis came on the Bench five minutes past ten, and sent for the Jury. Tweed, disturbed by the information he had received, looked alarmed and was trembling in

spite of his efforts. The Jurors filed in solemnly and took their seats. Their countenances betrayed not the slightest indication as to their decision. Chief Clerk Sparks said: "Gentlemen of the Jury, have you agreed upon a verdict?" The foreman rose and said they had not, but they desired further instructions with regard to one of the counts of the indictment. The Judge gave them the necessary instructions, and the Jury again retired. During their absence, which was for only ten minutes, Tweed instinctively felt that his doom was sealed. He looked dismayed and wild, at the contemplation of his probable fate. The Jury filed in again, this time with their overcoats on and their hats in their hands, showing that they had taken a final departure from the Jury room, and that they had reached a verdict.

In the intensity of their excitement, the people in the Court room rose in their seats, and scanned the faces of the Jurymen. When they were seated, Mr. Sparks said, once more: "Gentlemen, have you agreed upon a verdict?"

"We have," answered the foreman.

"How say you," said the Clerk, "is William M. Tweed guilty or not?

"GUILTY!"

LETTER XXXVII.

THREE DAYS OF INTENSE ANXIETY—TWEED'S DESPERATE EFFORTS TO OBTAIN A STAY OF PROCEEDINGS—UNABATED CONFIDENCE OF HIS ENTHUSIASTIC FRIENDS—A STRIKINGLY DRAMATIC SCENE IN COURT—AN AWFUL SURPRISE—APPEAL FOR MERCY TO AN IMPLACABLE JUDGE—AUDIENCE AWE-STRUCK AT THE SEVERITY OF THE SENTENCE—TWEED FINED AND SENT TO THE PENITENTIARY FOR TWELVE YEARS.

MY DEAR DEAN:

In the preceding letter I have described the scenes at the second trial of Tweed, resulting in a conviction by the Jury, on Wednesday, November 19, 1873. He was remanded, in the custody of the Sheriff, until the following Saturday morning (November 22), when he was to be brought before the Court again, for sentence.

But another and far more dramatic scene in this great legal battle has yet to be pictured.

By a large multitude of the people, who had lived so long under Tweed's reign and who had learned to regard his power as invincible, the verdict of the Jury was not accepted as conclusive by any means. They believed that there were several Judges in the City and State who would save him from the consequences of that conviction. Indeed, so boldly was this claim made by his friends, that Assemblyman Regan, a close follower of Tweed, at the Delmonico bar-room, immediately after the verdict, boastingly and loudly delivered himself of the following defiance in the hearing of a number of persons:

"The verdict be d——d! William M. Tweed will never go to jail in this town. There will be a riot in New York

before it will be allowed, and the Tombs would be torn down before they'd let him be locked up there!"

Regan said this with great earnestness, and, what is still more strange, he was backed up by some of those present, who said "That's so!" Others, not so extreme, contented themselves with declaring that the verdict would certainly be set aside, or a stay of proceedings granted, before two days were over. This latter opinion was shared even by some of the newspapers next morning; and this opinion gained strength during the three days which elapsed between the day of his conviction by the Jury and the day he was to be brought up for sentence.

As yet, Tweed's hosts of friends, retainers, and almost numberless followers had shown no signs of deserting him; for they had confidence in his wonderful resources and in his capacity for circumventing his enemies. Tweed's demeanor confirmed their impression, for he kept up, not only his usual sprightly manner, but his jokes and good humor. His apparent indifference to the verdict was generally attributed to bravado, but it is susceptible of a more reasonable construction. It would be entirely inconsistent with the prominent position he had hitherto occupied, and with his well-known love of popular applause, did he not keenly feel the degradation, if not the danger, of his position. Looking back at his entire career, it seems to me very certain that in the privacy of his own chamber, he must have given way to his overburdened sense of shame and humiliation. Taking this view of it, his apparent audacity of manner before the public had in it method and meaning. No man knew better than he the value of public opinion and popular support. He knew it was much easier to procure a stay of proceedings if the Judge who was asked for it believed that the populace of New York were clamorous in his favor, than if they were hostile to him or careless of his fate. Therefore, everywhere throughout the City, during these three days, his forces

were actively at work, creating public opinion in his favor and laughing to scorn the suggestion that Tweed should ever go to jail. To be sure, he was in the custody of the Sheriff, whose Deputy, William H. Shields, accompanied him everywhere and slept every night in his house; but this was not much noticed, or, if noticed, was regarded as a mere formality and of no particular significance. There was scarcely a betting man in the city who was not ready to wager that Tweed would never see the inside of a jail as a prisoner.

Hours and days went by, but no stay was yet in sight, although some of the ablest lawyers in the land were working with might and main to procure one from Judges in every part of the State, until the *dies iræ* approached—that fatal Saturday which banished all these illusions.

On Saturday morning, November 22, 1873, Tweed, after a troubled night, for he had had no sleep, found himself like a stag at bay, and clinging to one last lingering ray of hope that the long-expected order staying the proceedings might be on hand when he reached the tribunal of Justice.

At ten o'clock that morning Shields took out his watch and, approaching Tweed who sat conversing in low tones with his wife and daughter in the back parlor, said, respectfully: "Mr. Tweed, we will have to be off." "I am ready, Billy," said Tweed, rising. He then bade good-by to his daughters, who retired weeping. By his side still stood his wife who, with a woman's singular premonition of approaching woe, looked, in spite of her efforts, the picture of despair and agony. She trembled from head to foot with suppressed emotion; seeing which, Tweed said to her, bravely and soothingly: "I guess I will be back to night, Mary. It will come out all right yet."

Shields and Tweed drove down to the Sheriff's office, where they were met by Sheriff Brennan, an old political associate of Tweed. As the Sheriff shook Tweed's hand,

he said, with unfeigned kindness: "I hope you will bear up, Bill." "Ah," responded Tweed, "I have tried to bear up, Matt; I never thought it would come to this." Accompanied by Sheriff Brennan and his officers, Tweed was quickly taken along the corridor into the Chambers of the Supreme Court, whence through a side door they entered the capacious Court room of the Oyer and Terminer. The room was already packed, almost to suffocation, by an anxious and expectant crowd, while the corridors, the stairways, and every passageway leading to the Court were filled with a surging multitude, from every station and calling of life, eager to obtain entrance or to hear something of the portentous fate of the fallen chief.

As Tweed took his seat every eye in the Court room was focussed upon him, and while he struggled to maintain a calm exterior, it was easy to notice the emotions which inwardly disturbed him. He bore no longer an air of bravado. If he was not utterly cowed, he was at least subdued. His eye sought no one, either friend or foe, but as his chief counsel, John Graham, approached him, his countenance brightened for a moment. They greeted each other warmly and almost affectionately. One of Tweed's most striking attributes was his faculty for inspiring confidence and friendship in those closely connected with him. To those who knew Graham's disposition, it was not difficult to understand how he could easily come under the spell of Tweed's magnetism. In his mental and moral qualities, no less than in his eccentric attire, John Graham was perhaps the most picturesque character that ever practised at the New York Bar. Below the medium height, his body was symmetrical and somewhat rotund. His face, clean shaven, except for a chin-whisker of light brown now sprinkled with grey, was full and florid, and denoted at once determination and goodness. He wore an auburn wig, which extended down almost to his broad shoulders. An immense Byronic

(Redrawn from Frank Leslie's Weekly. By permission.)

JOHN GRAHAM.

collar, worn extremely low, set off his neck, which was short, plump and shapely. A spotted necktie of blue and white gave to his cheery face additional lustre. His short sack coat, of dark material, was carefully buttoned from top to bottom. A portion of his patent-leather shoes was invariably covered with mouse-colored spats. This was the unique make-up of a lawyer who, when he espoused the cause of a client, summoned and concentrated all the faculties of his soul in that client's behalf. So absolutely and unreservedly did he identify himself with the cause of his client, that no inducement of profit or gain could attract his attention to any other topic. Although his services were sought after, as the most distinguished criminal lawyer of his day, he may be said to have had only one case at a time, so intense was his zeal, and so wrapped up was his intellect, in the cause he had on hand. Neither to the right nor to the left would he turn, for fees or for favors, but he fought straight on, unremittingly and untiringly, for victory.

While he was, perhaps, as able a criminal lawyer as any age has produced, John Graham was also a leading figure in the civil branches of his profession. Of literary tastes, and versed in ancient and modern classics, his range of information, on general subjects was varied and extensive. But his highest qualification was his natural gift of eloquence, to which nature also added a voice, strong, sonorous, and yet sweet, which he could modulate to suit the sentiments his utterances appealed to. When, in the course of an address or argument, a Judge or opposing counsel would interrupt him by advancing a proposition at variance with his reasoning and logic, it was then that he best exhibited the natural force of his eloquence. As the temporary damming of a stream, which retards the flow of the water in its natural course, only adds to its strength and velocity when the obstruction is removed, so it was with the

eloquence of Graham, which, when the interruption was overcome, rushed on with greater force and volume than before.

With most amiable manners and gentle disposition, outside of the forensic arena, and sensitive and sympathetic almost to tenderness, he exhibited in legal combat, when aroused, an aggressiveness and impetuosity which few cared to encounter. While ordinarily courteous and respectful to the Court, he often permitted his zeal to approach the confines of contumacy. To arouse his anger was not only not difficult, but it required considerable ingenuity on the part of his opponent to avoid a personal conflict with him. His peculiarities were well-known to Bench and Bar, and what would be deemed an intolerable affront in others was accepted in his case as one of the eccentricities of genius. There was not a particle of affectation in his composition and he never played a part for cheap effect.

Some lawyers, as a mere subterfuge, become turbulent in Court and even insolent to the Judge, with a view of gaining notoriety or misleading the Jury. When Benjamin F. Butler, in his younger days, was practicing at the Boston Bar, it is said that accident disclosed a prepared speech which he intended to address to a Jury. It proceeded argumentatively until a weak spot in his case was reached; then, to remind him that he must befog the issue on this point, he had written: "Here, insult the Judge."

Bolder even than this was the device of a young lawyer of a town in Ohio, who determined to secure clients by acquiring notoriety in a heroic manner. Going into Court, one day, on some minor motion, he had not proceeded far with his argument when he said: "Your Honor, I want to be committed for contempt of Court." "Well," said the Judge in astonishment, "are you in contempt of Court?" "Yes sir," said the young lawyer, "because I have a great

contempt for this Court." The old Judge, looking at him for a moment and divining his motive, said, calmly: "Young man, I am sorry that I don't see my way to give you notoriety. I might remark, however, that your contempt for the Court is not half as great as the Court's contempt for you."

But the vehement outbursts of John Graham, which on many occasions made Judges uncomfortable, were not premeditated; they were prompted by his eagerness to force his own views on the mind of the Court, and to resist those of his opponent at every step. In such conflicts he seemed to be at his best. He was quick in repartee, and could retort with asperity. I recall an instance when, in an important case, he was presenting an argument with great energy before Judge George G. Barnard, and in the course of it quoted a legal maxim of unusual length, in Latin; whereupon, Judge Barnard, who was always merry in those days, broke in with: "I think we may be able to get along with the English language, this morning, Mr. Graham." Graham paused, looked at the Judge, and said, in low but distinct tones: "Well, your Honor, if in your earlier education you neglected the study of the ancient classics, that's none of my fault."

But now, with the fate of Tweed on his hands, Mr. Graham was confronting the greatest ordeal of his life.

At eleven o'clock Justice Davis entered, and slowly took his seat upon the Bench. He looked grave, as he surveyed the vast throng. His presence personified an ideal of Justice. Of strong features, which his clean-shaven face more clearly defined, bold and stern, and flushed to a degree with the sense of the grave duty before him, which all men throughout the land, honest and dishonest, watched with intensity, it was plain that he realized the solemnity of the hour. The Court room became as still as the grave.

Looking at Mr. Graham, he said: "I am ready to hear you, Mr. Graham."

Graham arose and addressed the Court, presenting an elaborate and intricate legal argument, the gist of which was that the acts of the Legislature creating the Boards of which Tweed was a member were unconstitutional, and that therefore there was no ground for the proceeding under which he stood convicted; and he further argued that the Supreme Court had no jurisdiction of the offences under consideration, but only the Court of General Sessions.

Justice Davis gave a somewhat lengthy opinion, and overruled all the points raised by Mr. Graham.

Then came a most exciting scene. Lyman Tremain, the representative of the Attorney General of the State, arose on behalf of the People, to demand judgment. From the first, it was supposed by Tweed's lawyers that the maximum punishment was one year in the Penitentiary and a fine of $250. Indeed, it was hoped that the Judge might merely impose a fine, or give a sentence less than the extreme limit of one year. But their dreams were quickly dispelled, and a still deeper cup of sorrow awaited Tweed. Tremain, tall, portly and commanding, drew the Court's attention to the fact that the Jury had found the prisoner guilty on 204 counts, out of 220 in the indictment, and, as some of them must necessarily be grouped, from the nature of the accounts to which they related, the defendant stood liable to fine and imprisonment for only 102 distinct offenses, the maximum punishment being one year and a fine of $250 for each offence This, it will be observed, would enable the Court to give Tweed 102 years' imprisonment, and an aggregate fine of $25,500.

"But," said Mr. Tremain, in conclusion, "it is for the Court to say, whether, for humanity's sake, or for any other reason, all the offenses should be treated as one."

Mr. Graham, like a flash, saw the trap. Humanity from Judge Davis towards Tweed? Humanity of the tiger for its prey? The tenderness of the wolf to the lamb? Graham, his face suffused with excitement and anger, paused a moment to take breath. His attitude was sublime, although it was ferocious.

"This is startling," he said, at last. "It has come upon us with surprise—like the bursting of a volcano. Mr. Tremain cannot be serious. Was Mr. Peckham's opening speech to the Jury misleading to that body? Was it intended to lull the counsel for the defense into a false security? If so, it was a disingenuousness not to be expected from a Public Prosecutor. Will your Honor not give me—taken as I am by this awful surprise—some time to examine authorities? I cannot answer opposing counsel on the spur of the moment."

Judge Davis hesitated a little while; then said, "We shall take a recess until half past one."

In these few minutes, Tweed's face assumed a deathly pallor, and he looked as if his heart sank within him. He felt that Judge Davis had him in a net and would consign him to prison for many years. He held his head in his hands to avoid the gaze of the people. He would have excited the pity of his bitterest enemy.

The Court reassembled at the hour named, and Graham, whose eyes were red from the tears he had shed, made a forcible and convincing argument, that the Court could not impose a cumulative sentence; that the maximum punishment was only one year; and cited numerous authorities to sustain his position. He further stated that Mr. Peckham, one of the counsel for the people, had conceded at the opening that the maximum punishment was one year, and the Jury, when bringing in the verdict, must have believed this, or they would have brought in a different form of verdict.

"Can it be credited," he urged, "that the Jury wilfully intended, under their oaths, to give any Judge on earth the preposterous authority to impose a sentence of one hundred and two years' imprisonment on a defendant? Is it not plainly conclusive that they believed one year to be the extreme limit of punishment under one indictment? Suppose one indictment contained a thousand counts, under the construction here contended for, a verdict of a Jury might authorize a Judge to impose a sentence of one thousand years' imprisonment! Laws are not made so loosely as this. Laws are founded on common sense, and do not run against reason and conscience."

But from the manner of Judge Davis it was evident not only to Graham himself, but to everyone in the Court-room, that Graham's eloquence and logic were falling on barren soil.

At length Graham suddenly stopped, and looking at the Judge steadfastly, said:

"If this must pass, and I am not upheld in my premises, then I must appeal to the Court for consideration. I can say from my heart that this day is the most painful, the most wretched, of my life. I have lived many years; I have long practiced in this Court; but never have I been so moved within myself as at the shape this matter has taken. The Court sitting here (extending both hands appealingly to the Judge), in spite of judicial feelings, is also swayed by human impulses. The heart a man has makes him a man, and those traits which make woman the most lovely creature of God are those which give her tenderness and mercy as her greatest gifts. It cannot detract from the sterner stuff of which man is made to be merciful. One of the most sublime invocations that ever stirred the human heart, are the words of the Universal Prayer:

'Teach me to feel another's woe,
To hide the fault I see;
That mercy I to others show,
That mercy show to me.'

"Your honor, we are taught, from the time we enter this world, to ask for mercy; and those prayers which we put up in our own behalf must teach us to render deeds of mercy to"——

Mr. Graham stopped suddenly, overcome by emotion, sank into a chair, and bending forward over a table, with his head between his hands, sobbed convulsively. It was an awful moment. Tweed hid his face in his hands and wept. There was no man in the Court room that was not visibly moved, but one—Judge Davis on the Bench.

Several seconds passed before Tremain arose. He was pale and nervous, and his lips quivered. He spoke coldly, or tried to, of the points of law; but, after a little, abandoned this and, turning towards Graham, said:

"Far be it from me to ignore those innermost reasons which must sway us in a case like this. I cannot but feel, and I am sure my associates feel with me—indeed, all must feel—how terrible is the position of this man, who has been so high and who has fallen so low. He is now drinking the bitter waters of humiliation. The spell is broken. God knows we do not feel glad at our position here to-day. Would it were otherwise!" Turning to the Judge, he continued: "The law has placed in your hands the responsibility of the matter. The case is one of international interest and attracts the attention of the whole world. We now leave to you the question of what shall be meted out to the prisoner as an impartial and just penalty."

As Lyman Tremain sat down, a low, indistinct murmur of approval could be faintly heard throughout the Court room. Graham still had his head buried between his arms, which rested on the table. Tweed, with bowed head, kept his face between his hands. The stillness was oppressive. It was broken by Judge Davis, who said, impressively:

"If any one imagines it is grateful to me to have to do my duty in this case, he is mistaken. I feel it is one of my duties which I would have gladly seen fall upon other shoulders. I cannot shrink from it, while I harbor no thought of harshness or severity. I have the power to temper my action with mercy. I have not followed, in what I deem my duty, any of the suggestions inimical to the defendant. But I will execute the law by just and adequate punishment. It is deeply to be regretted that the Legislature has not fixed the penalty for the various crimes of public officers who, clothed with trust, rob the public, and who suffer other men to take money out of the public treasury. We can only give what I consider a petty penalty of one year in jail, and $250 fine for each of these offenses, notwithstanding that the defendant

took more than one million dollars of the public moneys. If the Jury, for instance, had found that the prisoner committed but one offense, how farcical would be the judgment of one year's imprisonment for the bold and audacious robbery of one million dollars! But the Court has here larger powers, commensurate with a due regard for the interests of the public."

The Judge ceased speaking and looked at Sparks, the Chief Clerk of the Court, who solemnly arose and said: "Prisoner at the bar, what have you to say now why sentence should not be pronounced upon you?"

Tweed stirred not; but Graham, after a short pause, in a low voice said: "He has spoken through his counsel."

Sparks then announced, "The prisoner will now rise and receive the sentence of the Court."

Amidst breathless silence, Tweed slowly arose and placed his right hand on the back of a chair for support. His strong face quivered as he looked straight at the Judge. The Judge looked straight at him, and in deep, almost guttural, tones, began:

"William M. Tweed, you stand convicted by the verdict of an intelligent and honest Jury of a large number of particular crimes charged against you in this indictment. That verdict, in the opinion of the Court, could not have been otherwise without a violation of the oaths which the Jury had taken, and an utter disregard of the obligations under which they rested, to speak the truth, and the truth only, by their verdict. The proof in this case, when laid before the Jury at the close of the People's case, was simply a mathematical demonstration of your guilt. Holding high public office, honored and respected by large classes of the community in which you lived, and, I have no doubt, beloved by your associates, you, with all these trusts devolved upon you, with all the opportunity you had, by the faithful discharge of your duty, to win the honor and respect of the whole community, you saw fit to pervert the powers with which you were clothed in a manner more infamous, more outrageous, than any instance of like character which the history of the civilized world contains. Instead of protecting the public, you plundered it; instead of standing guard where the law put you, over the treasury of the County, you threw it open, not merely to your own rapacity, but to the avarice of your associates, under circumstances where it is transparent that you were engaged in a concerted conspiracy to plunder the treasury of this County, and

enrich your associates in crime and yourself. The evidence on that subject can leave no manner of doubt. Commencing with the entry on your duties, on the fifth day of May, 1870, in the organization of the Board of Audit, (after the passage of the resolution defining the mode in which the proof should be furnished to your Board and action should be had therein,) on the very next day your career of plunder commenced. On the sixth day of May, and from that day forward consecutively till the whole 190 accounts had been audited, certified warrants issued, and the money paid, the evidence is conclusive that the whole proceeding was to carry out a concerted plan to enrich yourself and those who were associated with you.

"If there was no other circumstance in the case than that, it would, in my judgment, be conclusively established by the fact that on each of these several claims, as they were passed upon and ultimately paid, your share of the plunder was regularly fixed and presented at twenty-four per cent., the share of your associates seeming to have been measured by a somewhat similar standard. It is impossible to believe than on the distribution of 190 cases of money received upon these warrants twenty-four per cent. should have always been allotted to you, had it not been understood in advance, by prearrangement, that that sum should be your fixed proportion of the moneys of which this County was to be plundered. When we see a machine, the creation of some inventive genius, turning out at each revolution a fixed amount of some manufacture or product, we argue from that result, that mind, thought, reflection, prevision, had something to do with the production, in that form, of the consequences we have before us of the action of that machine; and the machinery through which you operated produced a like result, and in a form in which it was impossible not to see behind it a like concerted conspiracy, by which you were benefited in common with the others who shared that plunder, and for it consummated that grave and awful crime.

"It is in vain to suggest that your trial and conviction have been the result of any partisan feelings—that this is, after all, a struggle (as one of the proposed Jurors who was called here said) between the Ins and the Outs? No; the whole contest has been a struggle between Honesty and Fraud, between Virtue and Crime. While it is true that one great and powerful leading paper in this City, belonging to a particular party, was the first to drag to light and hold up to the public eye these infamous frauds, yet it is equally true that prominent, able, honorable men of all parties united at once to investigate and develop their true character. O'Conor, an eminent Democrat, who holds the foremost rank in his profession, and who stands without a stain upon a character as pure and noble as any man's in this great City, immediately from his semi-

retirement came and aided in the rescue of this City from its great corruption; and Tilden, who stood as a leading man at the head of the Democratic Central Committee of this State, devoted weeks and months of toil in ferreting out these crimes, in ascertaining from the bank accounts what had been done, till he was able to lay before us, the other day, on the trial, the result, crystalline in its simplicity, and so clear that no man could fail to read its meaning. I need not refer to other prominent men of your own party who took an active part in these proceedings that ultimately led to your conviction—I mean the development of proof of these great frauds. It would be wrong and unjust to them to entertain for one moment the idea that your conviction has been the result of persecution at the hands of anybody—any person or any party. It has been the result of the ascertainment and the production of evidence so clear and plain that never, either in my experience or in my reading, have I seen a case where the evidence was so utterly overwhelming, and where it was so impossible for the Jury, if they 'say the truth,' to avoid a conviction. During the whole of it you remained, until your conviction, as calm and serene as though supported by innocence, while it was overwhelmingly apparent that all your serenity was only audacity, and confidence in the omnipotence of corruption, rather than reliance upon your integrity or truth. The duty of the Court is to pronounce upon you a sentence now that may be in some degree adequate to your crime."

Judge Davis then sentenced the prisoner to the Penitentiary for twelve years and to pay fines aggregating $12,500.

The audience was awe-struck. Not a person moved, not a word was uttered. It was as though something appalling had occurred, that for the moment overpowered their senses and held them spellbound.

At length the Sheriff's officers arose, and then the prisoner. They walked towards the side-door through which they had entered. This broke the culmination of the oppressive silence, and the vast throng began to move towards the main exit. The prisoner was kept in the Supreme Court Chambers for some time to avoid the crowd. His brother and son were by his side, as they had been all day.

In the meantime, Judge Davis called order in Court, and announced that he desired the attention of the several counsel for the prisoner that were present. There were

seven of them within hearing, and they instantly stood up and moved toward the Bench. With impressive calmness and deliberation, Judge Davis addressed them, saying:

"At the beginning of this trial, I notified the counsel for the defence that I should take some action upon a certain paper which was handed me before the case opened. I intended then, and I intend now, that that document shall receive the notice that it deserves.

I now fix the hour of ten o'clock on Monday morning next when counsel for the defence must be present; at which time I shall proceed to do what I deem proper in the matter, and take such action as your proceeding demands. You (and all of you signed the paper) are directed to attend on Monday morning."

The lawyers were thunderstruck; they looked at the Judge, then at each other, in astonishment; but they were much more astonished on Monday morning.

LETTER XXXVIII.

UNIQUE LEGAL PROCEEDINGS OF SURPASSING INTEREST—TWEED'S COUNSEL SUMMONED TO THE BAR FOR CONTEMPT—THEIR PROTEST IN BEHALF OF THEIR CLIENT STERNLY REBUKED—JUDICIAL DIGNITY VINDICATED BY AN UPRIGHT JUDGE—THREE LEADING LAWYERS FINED TWO HUNDRED AND FIFTY DOLLARS EACH—THE REAL CULPRITS EXONERATED AND COMPLIMENTED.

MY DEAR DEAN:

Monday morning, November 25, 1873, was a memorable day in the history of the New York Bar; for on that day eight of the leading lawyers of this City were summoned before the tribunal of Justice, by the command of an angered Judge, to receive castigation for offending against the dignity of the Bench.

Who constituted the distinguished coterie thus charged? One of the delinquents was David Dudley Field, the old, astute lawyer, the compiler of criminal codes and author of able dissertations upon the law, who for nearly half a century had been going through all the mazes of civil and criminal practice. Another was John E. Burrill, austere, imperious and supercilious, whose practice in corporation and commercial law netted $75,000 a year. Then there was John Graham, one of the greatest criminal lawyers in America, whose peculiarities and qualifications I have described in a preceding letter. There was also William Fullerton, a former Judge, whose powers as a forensic advocate could hardly be surpassed; William O. Bartlett, of proud bearing and aggressive proclivities, whose eloquence aimed to touch the stars; Elihu Root, a rising young lawyer, keen and far-seeing, who has since advanced almost

to the foremost rank of his profession; and Willard Bartlett, who a few years later was elevated to the Supreme Court Bench, and who still occupies that high station. The Judge before whom they were cited had been elected the preceding Fall, on the wave of popular indignation beneath which the Tammany Hall candidates were submerged.

David Dudley Field had been called to Europe. John E. Burrill, having some knowledge of the stern character of Judge Davis, sent him a personal, written plea, in advance and without consulting his associates, setting forth that he had retired from the Tweed case months before, and was not aware that the objectionable paper, signed in the preceding month of June, was to be presented to Judge Davis at the November term of the Court; and that he therefore repudiated the document, although he acknowledged that he had signed it. Thus the ranks of the accused lawyers were broken, one of them being absent in Europe, and another frightened into a crawfish attitude. Of the rest, John Graham advised that a defiant stand be taken; that the Bar had its rights and duties as well as the Bench; that it was an impropriety on the part of Judge Davis to try the case the second time, considering what had transpired at the first trial, where the Judge was unable to conceal his hostile feelings—more especially as there were six other Supreme Court Judges in the City, and thirty-five in the State, before any one of whom the defendant's counsel were willing to have the case tried; that the greatest criminal monster on earth should have a fair trial, not merely technically, but substantially and broadly; and that when the real facts were disclosed, their action would not only be sustained in the higher Courts, but would meet with the approval of the public.

From what transpired after Mr. Field's return from Europe, to which I shall refer hereafter, it is certain that had he been at the conference which was held on the Sun-

day night before the proceedings, he would have coincided with Mr. Graham's views, and some positive action of resistance to the threatened punishment by Judge Davis would have been probably determined upon. As it was, however, Graham could not obtain from his associates any support in his proposed attitude. Indeed, on the contrary, it was suggested that a most ample apology be made, in the hope that if Judge Davis did not wholly relent, he would at the worst only impose a fine upon them; while, on the other hand, if Mr. Graham's programme were adopted, Judge Davis might be driven to commit them to the County jail for thirty days for contempt of Court, which he had the power to do. If he merely imposed a fine, they could save themselves from going to jail by paying it, which of course they would do, no matter what it was. Graham was very determined in his opposition to this pacific method. Even if Judge Davis merely imposed a fine, the order would be that they stood committed until it was paid; and Graham contended that it was their duty to themselves, as men and members of the Bar, not to pay a fine which they believed to be unjust; that, let the Judge's tyranny take its worst form, they could only be imprisoned for a short time; that they could sue out a Writ of Habeas Corpus before other Judges, and perhaps obtain the right to give bail, pending the decision of the question before the higher courts. Young Bartlett was in great distress lest this programme should be adopted. He thought that to have his father and himself imprisoned at the same time, for the same offense, and in the same jail, was altogether too much martyrdom for one family; and he pleaded that so dreadful an alternative as going to jail should be avoided.

"Well, young man," said Graham; "bigger men than we have consented to go to jail to maintain independence, and for great causes, who were forever after honored for their courage."

"Oh," replied the young man, "I don't like jails; I would rather sleep home. It may be all right to suffer for a great cause, but I would rather suffer for it outside of jail."

"Why," said Mr. Graham, much amused at the fright which had overtaken his young associate, "don't you know that the great and good Horace Greeley was, only a few years ago, imprisoned in the City of London, and it troubled him so little that he wrote a humorous account of it. In one place he described the massive high stone walls, one outside the other, with spikes on top; and then the old philosopher concluded by saying that he didn't think he ever slept in such a safe place in his life? And so," said Graham, laying his hand on the young man's shoulder, assuringly, "we will be safe enough in Ludlow street jail for the few days we will spend there."

It was no fear of the jail not being safe that disturbed young Bartlett, for Ludlow street jail never had any record of people breaking into it, although it had quite a record of people breaking out of it; but he felt that the age of martyrdom had passed away, and that there was no use in trying to revive it.

Mr. Graham, standing alone, had to accede to the will of the majority, and he joined in a written disclaimer of any intent to offend the Judge, which was as near an apology for their course as was consistent with their independence as lawyers and as men. Mr. Fullerton was selected to do whatever talking might be necessary.

The Court room was densely crowded, not altogether by the people who had attended the Tweed trial, but by members of the Bar, and men prominent in every station of life. The Bar was deeply interested, for, although the exact nature of the paper referred to was then generally unknown, the spectacle of arraigning a body of lawyers for discipline and punishment, especially lawyers of high

distinction and character, was so unusual and extraordinary, that the whole legal fraternity of New York was agitated, and to a degree excited.

Judge Davis came on the Bench at ten o'clock sharp, looking calm but severe. He began:

"In the matter to which I called the attention of counsel in the case of the People against Wm. M. Tweed, touching the presentation of the paper subscribed by David Dudley Field, John Graham, William Fullerton, W. O. Bartlett, J. E. Burrill, Elihu Root, William Bartlett, and William Eggleston, the Court is ready to hear any suggestions that counsel who presented this paper may wish to make as to the proper action to be taken on the paper by the Court."

Mr. Fullerton: "The pleasure of your Honor with reference to the order of proceeding?"

Judge Davis: "I will adopt any order counsel seem to think will best present their views in relation to the paper and the action of the Court thereon."

Mr. Fullerton: "Myself and associates are not prepared for that this morning."

Judge Davis: "You are not prepared?"

Mr. Fullerton: "No sir; we do not yet know what part of the paper is objectionable."

Judge Davis: "The Court informs you the whole paper is objectionable, and that the supposed objects and purposes of the paper are objectionable."

Mr. Fullerton: "If the proceeding is in the nature of contempt, it should take some form or shape so that we could give some definite answer."

Judge Davis: "I have no disposition to take any step to preclude counsel from making explanation, or from being heard fully on any legitimate question arising from the paper itself, or from the nature of the proceedings touching it. A statement will be made in order that they may know the view the Court takes of the paper itself."

Mr. Fullerton: "Having jointly disclaimed any intention to disrespect your Honor, we can do nothing until we know your Honor's views."

Judge Davis: "I have your disclaimer. The intent of the paper, the object of the paper, was not, I believe—perhaps it is vanity in me to believe so much—to cast any personal disrespect upon myself, but to interpose something in the course of Justice, which the law cannot tolerate and which the Court cannot overlook. It is because of its effect upon the administration of Justice, and of its evil example, in my judgment, and of its influence upon Courts and upon the Bar itself as a precedent, that I feel bound to take notice of it. If the disclaimer was a personal matter I should take no further steps."

Mr. Fullerton: "We disclaim any desire to show disrespect or to bring disrespect on the administration of Justice. We disclosed our views fairly and honestly in the communication your Honor received this morning. The language was meant to include the Court, and we do not hesitate to make its terms more broad and comprehensive."

Judge Davis: "I understand this disclaimer simply to declare that the counsel had no intent to show any disrespect toward me. The language is: 'In drawing up and presenting that paper, nothing was further from our intention than to show any disrespect towards you,' and it then proceeds to say that the paper was intended for my own 'sole consideration,' by which you meant to be understood that it was designed to be considered by me individually and not as a Court?"

Mr. Fullerton: "That was the object. It was never intended for the public. It was a private communication and the letter was couched in that language."

Judge Davis, after a moment's pause, proceeded to review the conduct of counsel, in the following scathing language:

"I will state to counsel my views on the paper in question, and of the purpose it had in view, at the time of preparation, and what I suppose to be correct history. I have no personal feeling to gratify, no political animosity to avenge, and I have no unfriendly feeling to any member of the Bar of New York. This paper was prepared in June last, when defendant's counsel moved to postpone the trial. The first signer, David Dudley Field, is in Europe. John E. Burrill writes a letter, stating his withdrawal from the case and his want of knowledge that it was to be presented at this time, and that he was not consulted about it. I assume, therefore, that the paper was prepared prior to the sitting of the Court, or to that period at which Mr. Tweed's trial was intended to be moved by the prosecution. The first day the Court met, in June last, the case was postponed on account of ill-health of one of the Jurors. The people's counsel opposed this strenuously. The Court adjourned the case, on motion of defendant's counsel, until October, because the Summer season was fatal to health. Now the counsel come to Court with this same paper. They were willing then to get an advantage by making a motion to a disqualified Court. If the motion were not granted to postpone at that time, this paper would have been presented. On Wednesday before election, counsel came to Court and made a motion to postpone until after election, armed again with this paper, if it were not granted, and willing to take chances of getting a fair decision from the Court whom they, over their signatures, declared disqualified to sit. On the day after election the case was moved for trial. Mr. Fullerton was not in Court, and after delaying the Court for thirty minutes, he came in, and then, after consultation between counsel, this paper was handed for the first time to the Court. Counsel knows what took place at that time.

First: The objection to the paper lies in the apparent object, which is, I am bound to suppose until something contrary appears, that the presentation of the document, signed by distinguished and numerous counsel, eight signatures in all, would have the effect, from this statement, to so intimidate the Judge who was to try the case that he would not perform the duty which the law devolved upon him, but would leave the Bench for some other Judge.

Secondly: The intent of this paper was that it would be recorded and published by the press, that the Judge was partial, had expressed his hostility to the person on trial, and that his opinions were contrary to the decisions of other Judges, and was, on account of prejudice, not a proper Judge to sit in the case, and that this statement, laid before the public, would have a serious influence on those in the Jury box, if the Judge persisted, notwithstanding the paper, in trying the case.

Thirdly: It was an attempt to challenge off the Bench a Judge whose

duty placed him there for the occasion as the presiding officer of the Court, —an innovation of the law and the practice that had previously existed, and not upon tenable grounds in law. The paper contained objectionable matter, impugning the past and present position of the Presiding Judge. The Judge expressed no opinion, which it states he did; and although the Judge charged the Jury so that it was probably impossible for them not to see what his opinion really was, yet no expression of the opinion itself can be found ; and the Judge expressly warned the Jury that his opinion must not govern their action at all. The language of the Court in the charge was clear. The Court said, speaking of propositions of defense : 'You are the judge of the facts and must say what the evidence proves or disproves. Although you must be able to see that I have but one opinion of this transaction myself, individually, and should be ashamed not to have an opinion, yet you must not be governed by that.' It must have been plain to see from the drift of the charge what was the opinion of the Court, and they were guarded against it so far as this rule went—that they were the sole judges of the fact. This paper stated that the Court declined to charge the Jury not to be influenced by the expression of his opinion. Mr. Field did ask the Court to charge, but quite different from that. He asked the Court at the close of the charge, 'In respect to our first request to charge, we understand you to charge this Jury that they are to find according to the evidence upon which they are to act themselves, without any influence from the Court whatever ; and we ask you to so charge.' The Court responded 'I cannot charge otherwise than I have charged. They are the sole judges of the facts'—a very different thing from a charge that they were not to be influenced by the expression of an opinion, if any such had been expressed. Such a charge would be eminently improper, for the Jury are never to act in a case without the Court, but they are bound to take the law from the Court, and are always entitled, in applying evidence to the law, to act on the suggestions of the Court, whose duty it is to aid them.

"But Mr. Field interpolated an entirely new principle—to act without any influence from the Court whatever. It was untrue that the Court declined to charge the Jury not to be influenced by such an expression of opinion. A statement of that kind under such circumstances must have been made with a motive. The paper proceeds to say that a trial by Jury influenced, as it necessarily would be, by an opinion of the Justice, formed before such trial, would be had under bias and prejudice and not by an impartial tribunal, such as the Constitution secures to defendant.

"The second objection made to the Court was that 'before the recent act of the Legislature of this State, providing that challenges to the

favor should be tried by the Court, any person who had assumed a position in reference to this defendant, such as it was said this Justice had assumed, would be disqualified to act as a trier.' I deem that sentence extremely objectionable. The counsel displaced the Judge as trier, on the statement that he assumed a position towards the defendant which would disqualify any person, under the law, from sitting in the case as a trier; which was tantamount to saying that he had taken some hostile, personal grounds against the defendant, as to this case, which excluded him.

"It is also objectionable to say that he assumed such a position in reference to the case, because I don't think it can be truthfully said that the Judge presiding upon the first trial assumed any position except that which, in his judgment, was a simple duty to the public under the extraordinary evidence of the case. The paper said he assumed a position in the case toward the defendant which disqualified him from sitting in the case as a trier. This carries with it the sting, in substance, that he had assumed a position in the case, toward defendant, which would disqualify him from sitting, if he were called upon as a member of the Bar, as a trier of the jurors. How counsel could justify themselves in making such assertions I cannot see. Disqualified as a trier then, now he must be disqualified as a Judge. No further comment to make.

"*Fourthly:* 'Most of the important questions of law which will be involved upon the trial have already been decided adversely, by the Justice, to the defendant, and on some important points, rulings were in opposition to the previous decisions of other Judges. Although there is no positive law against the Judge sitting on the trial, under the circumstances, it would be a violation of the spirit of the Constitution, which prohibits any Judge sitting in review of his own decisions.' I have no comment to make on the logic of this proposition, but it is an extraordinary position to take, to exclude a Judge from the Bench on the ground that he has opinions of his own on law questions. If he does not know enough law to have opinions on law subjects, he certainly ought to be excluded *a priori* when trial comes on.

"Then counsel conclude by saying that they objected to the Judge who expressed an opinion on the law, from sitting in the case. The object is more apparent from the fact that, in many States where Juries are judges of law as well as of fact, he would be absolutely disqualified as a Juror. This last proposition seems to have no motive but to interfere with the administration of justice in one of two modes. Had counsel refused to proceed before signing that paper, one might perhaps conclude that upon almost any Judge the effect would be to make it a duty so apparent to proceed with the case that he could not shrink from it

without discredit to himself. I felt when I read that paper, notwithstanding that I made strenuous efforts to not sit in this case, and tried to procure an eminent Judge from the country to take my place—I felt, under no circumstance could I entertain for a moment the idea of retiring, after such a document was laid before me. I could not but feel, as I feel to-day, that in the administration of justice, counsel, who are officers of the law, declared by statute to be judicial officers and classified with the Judiciary, had forgotten their obligations, not merely to the Courts, but to the maintenance of law and justice in the country in which they live, when they sat down deliberately and prepared such a document to be put before a Judge about to try a case, for the purpose of either intimidating him from the Bench, or surrounding him with such embarrassment, and placing him in such a position as would render every decision and act he chose to perform, prejudicial against him, in the minds of the counsel who sat before him, so that he could not occupy a position of entire independence, as relates to the parties, in this particular case; and in addition, to affect the public mind and also the jury empaneled, by making them believe, in advance, that they were coming before a Judge who was admittedly partial, prejudiced and not to be respected.

"These are views I want counsel to consider; these are views which, unless explanations are made, I feel by the sense of duty I owe to the administration of justice, that I am bound in some manner to enforce, in order to show members of the Bar, as well as the whole community, that the Courts are not to be approached or intimidated. If counsel wishes further time in respect to these matters, the Court will grant it. I do not want to act hastily, but only as the behests of justice require."

Mr. Fullerton: "The counsel desire to make a more formal disclaimer of intents which your Honor ascribed to them, and they want time, when they will be ready to make a proper answer. I would ask that the matter stand over for a few days."

The matter was adjourned until Saturday, November 29, 1873.

After the Court adjourned, and during the intervening days from Monday until Saturday, the severe lecture by Judge Davis was discussed freely by lawyers and others. It was universally admitted that Judge Davis was entirely right in upholding the dignity of the Court, and his dissertation on the relations of Bar and Bench was pronounced a

masterpiece, which, while containing scathing rebukes, was delivered with a judicial calmness and impressive dignity that elicited the highest commendations.

William M. Evarts, the distinguished lawyer and statesman, accompanied by Mr. Rothery, an eminent English barrister, attracted by the novelty, if not the gravity, of the occasion, sat at counsel's table during the proceedings. Like Mr. Evarts, Mr. Rothery was evidently impressed with the manner and utterances of Judge Davis, and had an excellent opportunity of witnessing a remarkable scene, in which the dignity of an American Judge was as impressive as if he were invested with the silk gown, ermine and big wig, which are supposed to contribute so largely to the dignity of the Judicial authority in England.

On the following Saturday, Nov. 29, the Court was again crowded to hear the formal defence of the lawyers and the decision of Judge Davis. There was silence, deep as if a death sentence was to be pronounced, when Judge Davis took his seat upon the Bench. The offending counsel presented an elaborate defence, answering seriatim the accusations against them. It was read by Mr. Fullerton. It was an able document, ingeniously steering between Scylla and Charybdis—maintaining, by delicate shading, that they were right in their course, and yet showing, by still more delicate shading, that neither the dignity of the Judge nor the administration of Justice was assailed. It insisted that the motives imputed by the Court were unfounded, and such as they, as honorable counsel, could not have entertained. They recalled that, in presenting the paper to Judge Davis, they were contending professionally against a current prejudice as to their client, and that the protest was presented in a delicate way. It was presented when first the occasion for its use arose, and would have been premature for them to have presented the paper before it appeared that the Judge would sit. They drew attention to the circumstance that the with-

drawal of Mr. Burrill from the case was communicated to the Judge before he enlightened his associates on that subject; they disclaimed any intent, such as supposed by the Judge, to intimidate or drive him from the Bench, nor could they understand how the Judge could suppose the paper was for publication, when he had been informed that it had never been given to the public. They submitted that, where their action was consistent with high motives and strict professional conduct, other motives should not be imputed. Then they proceeded to discuss remarks of the Judge on the subject of the communication, and said that while their respect for the Court prevented them from entering into a controversy with it as to the falsity of certain statements in the paper, they must direct the attention of the Court to the stenographic report, which had been made for them and on which they relied.

Judge Davis, here interrupting, said that, in quoting, he had omitted sentences which qualified the sentences quoted.

Mr. Fullerton replied that they had not quoted more than seemed necessary to establish the right of counsel to believe their statement to be true, and that it could not be declared to be untrue.

The answer then drew the attention of the Judge to the record that Mr. Field asked to charge the Jury to find according to the evidence, upon their oaths, without any influence from the Court whatever. This the Court declined to do. Attached to the answer was an affidavit, from all the counsel present, disclaiming any intent to commit contempt. In reply, Judge Davis disclaimed being governed by personal motives, and said if the paper had been given privately, out of Court, he would have paid no attention to it; but it required attention, as it was handed to the presiding Justice of the Court of Oyer and Terminer. He then gave his decision in these words:

"In expecting the case to be tried, counsel thought it part of good tactics to prevent the Judge, then sitting, from presiding. It was

an attempt, judging by signatures of distinguished counsel, to intimidate the Judge. The counsel sought vainly for a precedent, and will fail in seeking, here or in England, for a case of a tribunal of Justice not taking notice of a paper of such a character. If such a paper were presented to an English Judge by counsel, clothed as the English Judges are with powers which the Constitution withholds from our Judges, not one of them would be sitting here now, and not one of them would find his name, one hour after, on the roll of counsel." (Applause in Court, which was promptly checked by the Judge.)

"As God, is my judge," continued Judge Davis, "what I feel it my duty to do, I do, not from personal motives, but from a solemn sense of duty to the Court, the Bar. and above all, to the administration of Justice. No lawyer is justified in any act for the sake of his client, which renders him amenable to the bar of his own conscience, or tends to degrade the tribunal before which he appears, or lessen respect for that official authority on which so much depends for the preservation of our institutions. I must make the mark so deep and broad that all members of the Bar will know, hereafter, that all such efforts are open to censure and punishment by fine, as the law permits. I fine William Fullerton, John Graham, William O. Bartlett, $250 each, and order that they stand committed until the fine is paid. Mr. Burrill's position has already been explained, and Mr. Field is three thousand miles away from the jurisdiction of the Court. In respect to the younger members of the Bar, who have signed the paper—Elihu Root, Willard Bartlett, and William Eggleston—I have this to say: I know how young lawyers are apt to follow their seniors. Mr. Eggleston did not take active part in the trial, and I do not speak of him. The other two younger lawyers displayed great ability during the trial. I shall impose no penalty, except what they may find in these few words of advice: I ask you, young gentlemen, to remember that good faith to a client never can justify or require bad faith to your own consciences, and that however good a thing it may be, to be known as successful and great lawyers, it is even a better thing, to be known as honest men. Proper orders will be prepared by the Clerk and submitted to me."

After Judge Davis retired to his chambers, the solemnity which had prevailed during the proceedings quickly disappeared, and the scene became one of excessive hilarity at the expense of the committed lawyers. Laughter was loud and general, while the delinquents endeavored to smile. Having come prepared for the emergency, they produced pocket-books stuffed with bills and paid their fines to the

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DAVID DUDLEY FIELD.

Clerk, amidst the greatest merriment. The moral effect of this vindication of Judicial dignity and the administration of Justice was deep and lasting. Since then, no member of the Bar in this City has been known to follow the precedent set by these eight distinguished lawyers.

But the comedy has yet to be told. The two young lawyers, Root and Bartlett, who escaped fines, and instead received good advice and compliments, were the two real culprits; for it was they who prepared the offensive paper and submitted it to their elder associates for signature, which fact, being discovered, turned the laugh, to a certain extent, on Judge Davis.

A few evenings after David Dudley Field's return from Europe, he addressed the Bar Association on the contempt proceedings, which had been disposed of in his absence, and concluded with great emphasis: "The learned Judge (Davis) stated that I was then separated from him by three thousand miles of water, but he forgot to say that he was as far away from me as I was from him. I am now back in my own country and in my own City, and am now ready to answer him on that or any other subject in connection with the case." It was thought by some that Judge Davis would take up this challenge; but the matter was permitted to drop.

Some time after this, an incident occurred, which showed how bitterly Field felt against Judge Davis, how witheringly sarcastic he could be, and how he could shrewdly give vent to his bitterness under cover, and make a joke of it at the same time.

Judge Sutherland retired from the bench, at the period to which I refer, and all the leading lawyers came together at a public banquet to do him honor. Among the rest were David Dudley Field and Justice Noah Davis, who sat opposite each other near the head of the table. After the usual preliminaries, Field arose to make the opening address, and

to propose resolutions in honor of the retiring Judge, who occupied a seat at the right hand of the chairman.

Field now saw that he could get a dig at Davis over Sutherland's shoulder, and determined to avail himself of the opportunity. With that suavity and dignity so characteristic of him on such occasions, Field bowed, and then began his double-barreled speech at Sutherland and at Davis.

He faced Sutherland and praised him for his amiability, and then slowly turned his body and looked at Davis, silently and meaningly, who was noted for just the opposite. He praised Sutherland for his fairness and utter absence of partisanship, and again turned and looked attentively at Davis, who was a notorious, though probably well-meaning and conscientious partisan. He praised Sutherland for his proverbial politeness to his brother lawyers and to counsel engaged in cases before him, and then pointedly glanced at Davis, who was often curt and abrupt in his manner toward certain prominent lawyers. In short, Field praised Sutherland for every good quality that he supposed Davis did not possess, turning and looking alternately from one to the other in a manner which said: "Look here upon this picture and on this." Throughout he preserved the most superb courtesy and an air of consciousness that all present, as a matter of course, agreed with him.

The majority of those present saw the point of Field's manœuvre as he proceeded. Enjoying the silent thrusts of the great orator, they instinctively turned their eyes towards Davis, who by this time evidently began to realize the sting; for, although usually self-composed, he wriggled a little and his face grew red. He had no alternative, however, but to listen in silence. Not only this, but by the courtesies of the occasion he was obliged to join in applauding the very words which were intended to wound him, inasmuch as they were ostensibly only encomiums of the retiring jurist.

As for Field it seemed to have done him good, for his face was radiant with smiles and for years afterwards he often chuckled over the episode.

But while Field was a good hater, a story is told of him which shows that he was a man who had, among his other qualities, the very rare one of gratitude.

One afternoon, an ill-natured lawyer was denouncing Field in his absence and calling him hard names A member of the Bar, named Shearman, who happened to be present, took Field's side, though he did not know him personally, and defended him warmly. The next day a friend of Field, who had heard the remarks of Shearman, asked him who Shearman was. "I do not know him; and never heard of him," replied Field.

"Well," said the friend, "he has evidently heard well of you;" and then he related to Field the particulars of the incident of the previous day.

Field made no reply and seemed to take the account of the controversy in a cold way, and as a matter of no concern to him. But that night he wrote to Shearman. The note was short; it simply requested Shearman to call at his (Field's) office at his earliest convenience.

Shearman by this time had forgotten all about his defence of Field and wondered what the famous lawyer wanted to see him about. Imagine Shearman's surprise when the rich, successful lawyer, in a matter-of-fact way, offered him an opening as a partner. Shearman was dumbfounded, for Field was really offering him a fortune. The gratitude was then on Shearman's side, and the firm of Field & Shearman was soon a legal reality and of course a great success.

This incident goes to show that even old, cold men have their fires under the snow.

LETTER XXXIX.

AN UNPLEASANT RECOLLECTION FOR THE PRESENT BOSS—ERRATIC AND RECKLESS CAREER OF JAMES FISK, JR.—HIS DARING ENTERPRISES—THE GOLD CONSPIRACY AND MEMORABLE BLACK FRIDAY—FISK'S JEALOUSY OF AND QUARREL WITH EDWARD S. STOKES—THE WOMAN IN THE CASE—FATAL MEETING OF THE RIVALS AND THE SHOOTING OF FISK—PATHETIC ENDING OF LAWYER LANE, ANOTHER VICTIM OF THE "ERIE CLIQUE."

MY DEAR DEAN:

At one time during the year 1873, three men occupied cells in the Tombs or City Prison, severally charged with murder. One shot down a railroad magnate; the second shot and killed a man who had killed his brother; and the third was to face a jury on the charge of murder, in having slain a man on Thirty-fourth street, near Second avenue, during an election brawl. These men were, respectively, Edward S. Stokes, John J. Scannell and Richard Croker.

It is not my purpose to inquire into the particular crimes for which they were indicted, or express an opinion as to their guilt or innocence. Scannell was adjudged to have been insane at the time of the commission of his act and was sent to an asylum for the insane, from which he was released within a year. In the Croker case the jury disagreed; and it is only fair to state that the almost universal opinion now is that he was guiltless of that charge. Stokes had three trials. At the termination of the first trial, in January, 1873, he was found guilty of murder in the first degree. On a bill of exceptions presented by his counsel he obtained another trial. His last trial took place in the month of October, 1873, when he was found guilty of

manslaughter in the fourth degree, and on Saturday, November 1, 1873, he was conveyed to the State Prison at Sing Sing under a sentence of confinement for a period of four years. For good conduct while in confinement, Stokes earned a commutation which shortened his term by some months; but, at length, he, like his two prison associates, was restored to liberty. During their imprisonment in the Tombs, it is said, a strong friendship sprung up between the trio referred to, which has lasted until the present time.

Richard Croker, a very poor man at the period spoken of, became powerful and wealthy after the fashion of a modern Monte Cristo, and is, at the present writing, a greater Boss, in the political sense of that word, than William M. Tweed ever presumed to be. Of Bossism in its latest phases I shall have something more specific to say hereafter. But, much as is said derogatory to Mr. Croker on the ground of ingratitude to others, he did not forget his fellow prisoners. When Stokes had taken a lease of the Hoffman House, on Broadway and Twenty-fourth street, Mr. Croker made that establishment permanent headquarters for the Democratic State Committee, which drew to it, as guests, politicians from not only all over this State, but from the country at large. As to John J. Scannell, Croker managed to get for him several lucrative positions under Tammany Hall, and finally landed him as President of the Board of Fire Commissioners, while to his brother was given "an easy job" in the Surrogate's office.

But in this letter it was and is my intention to speak more particularly of the victim of Mr. Stokes' pistol, rather than of Mr. Stokes himself, because the victim, Col. James Fisk, Jr., held a prominent place in the public eye during the period when William M. Tweed was in the height of his glory, and was in fact an intimate associate of the then Boss. Fisk made his first appearance in this City toward

the close of 1864, soon after which he fitted up a cosy office in Broad street, and began to launch out on the sea of speculation with a recklessness that marked him either as a lunatic or as one whose faith in destiny was only equalled by the certainty that fortune would favor him. Wall street got the better of Destiny; Fortune gave way to Ruin. Then Fisk took the cars back to Boston. On the way he met with a young inventor who had been disappointed, and the country is full of such unfortunates. Fisk condoled with the sorrowing man, and on reaching Boston induced a friend to buy the young man's patent for a song, having first secured an important interest in the invention—a small improvement of great utility, which eventually yielded large profits. With money enough in his hands to fight the Wall street tiger on a wide margin, Fisk again sought New York; but before reaching the City he was introduced to Daniel Drew, who, pleased with the young man's "get up," constituted him his agent for the sale of the Bristol line of steamers. He soon after, with Belden, became Drew's broker, and dealt largely in Erie stock, and when, in 1866, Drew executed his first great master-stroke, in bearing the market, Fisk profited immensely both in pocket and experience.

In October, 1867, Fisk was elected a director of the Erie Railway Company. He was then identified with the Drew interest. "Uncle Daniel," as he was called, owned a majority of the stock of the Erie road. Vanderbilt, master of the Harlem, the Hudson River and the New York Central Railroads, now sought to get control of all the roads connecting New York with the Great Lakes, and make himself the arbiter of the commercial interests of the metropolis. John J. Eldridge headed a party interested in the Hartford and Erie road, and Jay Gould was his henchman. Eldridge and his men, before the annual election for directors, had coalesced with Vanderbilt; Drew made a secret

treaty with Vanderbilt; and finally the three parties, none trusting the other, formed a business alliance. Erie stock went up when it was learned that Drew had been defeated for the presidency; but, when the news came that the election was in fact only a "guy," and that a complaisant director had resigned in favor of Drew, the stock went down again over three per cent., yielding a rich profit to those who were in the secret. Fisk was one. On the day of the election, he and Gould met for the first time. On that day Fisk's hair began to grow grey, and he was often heard to remark that, in the year succeeding that meeting, "he saw more stealing done than he ever dreamed of."

The story of Fisk and Drew, Gould, Erie and Vanderbilt, from that day forth, was an eventful one. How Drew beat Vanderbilt at his own game; how Fisk and Drew went into exile with Gould and Eldridge over in Jersey; how Fisk and Gould taught the world the value of injunctions, and showed how easily the Bench, with the aid of a man like Tweed, might be manipulated in the interests of "virtuous" enterprises, I have already spoken of, in a previous letter on the great Erie Railway contest. After doing a dozen other strange and remarkable things, that invariably took the world by surprise, Fisk bought the Grand Opera House, at the corner of Eighth avenue and Twenty-third street, and fitted it up as no other theatre in the land had been fitted up before. He rebuilt the Fifth Avenue Theatre, and leased the Academy of Music, thus having in operation, at one time, the then three finest places of amusement in the City. He spent $30,000 to put his first opera bouffe on the Grand Opera House stage; gave Max Maretzek *carte blanche* to secure the best stars of the lyric stage in Europe for the Academy of Music; and dazzled the people of the metropolis with his success. In the Summer of 1869, he became President of the Narragansett Steamboat Company, and controlled the finest line of its kind in the United

States, refitting the boats at an enormous expense. Then he put the splendid steamer Plymouth Rock on the Long Branch route. When the Erie Railway Company's offices were removed to the Grand Opera House, he established a new ferry from the Erie depot at Pavonia to the foot of Twenty-third street, and a free line of omnibuses from the ferry ran past the Opera House to the Fifth Avenue Hotel. I mention these facts to show you what activity and enterprise this financial hustler displayed.

Fisk and Gould were regarded, at the time, as responsible for the "Black Friday" episode, which wrought such havoc in Wall Street on the twenty-fourth day of September, 1869, and into which was also dragged the name of President Grant. Fisk and Gould were prominent in the matter, but it afterwards leaked out that the real originator or starter of that memorable excitement, or panic, or conspiracy, was neither of these men, but a man now forgotten, though once almost as well-known as Jay Gould—a man from the city of Buffalo, named Henry N. Smith.

Like Gould, this Smith was a little man to look at, and, like Gould, he had a pair of keen little eyes. Like Gould, also, he looked something like a Hebrew, only his beard, what there was of it, was of a species of brick-dust red. Smith made some money in Buffalo, and then came to New York to speculate with it. He "had a head on him," and before very long those who dealt with him found it out. In one little transaction, he got the best of Jay Gould, and from that date Jay Gould began to take a fancy to him; for any man who could hold his own with Jay Gould was just the man Jay Gould was looking for. So, not long after that period, the stock-dealing world was notified officially that Smith had formed a copartnership with Gould, the firm's name being Smith, Gould & Martin; a firm which soon became a power in, and a terror to, "the street." By his association with Gould, Smith got into

the inner circle of the "Erie clique," as it was called, which embraced three men: Jay Gould and James Fisk Jr., of the Erie Railroad, and Frederick Lane, a lawyer or factotum of the other two. Lane, like the well-known Benjamin F. Butler, had a cast in his eye, but, unlike "Ben," he was always smiling. These three men controlled all there was of money or power in the Erie Railway, and were hand-in-glove with Tweed and Judges Barnard and Cardozo. There were millions in the "combine," and soon Smith added a fourth member to the "Erie clique." And it was just after Smith had thus, as it were, conquered the world of Erie that, it is said, he conceived the idea of conquering the ready coin of the whole city of New York; and Smith communicated the idea to Jay Gould, who with consummate skill arranged all the details. Mr. Belden, an ex-partner of Fisk, was brought into the affair; also an operator named William Heath. During the excitement, William Belden bought over twenty millions in gold, without handling or paying out one dollar. Within three days the Erie clique and their associates had bought up all the gold there was in New York city outside of the Sub-Treasury Department. The clique (or the conspirators) met twice, sometimes three times a day, in secret, of course; determining the fate of millions of dollars in gold at each meeting. Smith, having started the ball rolling, kept quiet and let the other people play out the game, which soon ceased to be funny. Friday was selected as the day to carry the gold conspiracy through with a rush, because Friday was the last full business day in the week; and its parallel was never before or since seen in Wall street.

While the fever was at its height—gold having run up in the morning to 165, being over twenty per cent. higher than the closing prices of the preceding day; while some men were almost delirious with joy, and others were going

mad with despair; while the business community was being disturbed by an unwarrantable and outrageous shock, and the order of things generally disarranged—a telegram came across the wire that was soon to quell the excitement. The telegram read as follows:

"Sell four millions gold to-morrow, and buy four millions bonds."

GEORGE S. BOUTWELL,
Secretary Treasury.

Possibly no avalanche ever swept with more terrific violence than did the news of Secretary Boutwell's telegram into the Gold Room. The "bulls" were frantic, not to say furious and unmanageable. There was first a deadly stillness—it lasted but a moment—then came a roar of rage and discomfiture that was truly pitiable to hear. It was a frightful scene, a true and faithful picture of the gambler's misery, and one that has perhaps proved a salutary lesson to the young would-be dabblers who like to invest in speculative deals. It was estimated that the amount of gold bought and sold, on the day of the crash, exceeded five hundred millions of dollars. It would be impossible to give you in a brief space an adequate idea of the excitement of the day. All sorts of rumors were afloat during the afternoon, and in Brooklyn it was reported that the contest between the bulls and bears had culminated in a general riot, in which faces were disfigured, and heads broken. Large numbers of persons crossed the ferries to ascertain the truth or falsity of these reports, and in the early evening, Major Bush, of Brooklyn, received a telegram from Inspector General McQuade, of Albany, calling upon him to order his command to report for duty immediately, to "quell the riot in Wall street." The members of the regiment were of course notified, and gathered at their armory in uniform as soon as possible. But the order was shortly thereafter countermanded, and the men returned to their homes.

And now for a brief explanation of the conditions which led to the murder of the erratic co-operator with Jay Gould in the memorable excitement I have just described.

The differences between Edward S. Stokes and James Fisk, Jr., were of long standing. One night, in the month of January, 1871, Stokes, after having been followed from place to place by detectives, was arrested on a charge of embezzling money from the Brooklyn Oil Refining Company, of which he was Secretary, the arrest being instigated by Fisk. This was the beginning of bad blood between the parties. In 1868 Fisk met in this city Mrs. Helen Josephine Mansfield Lalor, a very fascinating Boston woman, who had been, a few years before, divorced from her husband, Frank Lalor, an actor; and the moment Fisk laid eyes on her she captivated him. He gave her an elegant establishment in Twenty-third street, near the Grand Opera House, and fitted it up without regard to expense. Her horses and carriages were the finest in the city, and the four-in-hand which she used at Long Branch and in the Central Park were much admired wherever seen. Fisk spent the greater part of his leisure time with his *chère amie*, and seemed to be bound up in her. One day, he received a note from "Josie," as he called her, requesting him to remove all his personal effects from her home, and advising him that she wished to know him no more. This was a severe blow to Fisk. Knowing that Stokes was a frequent visitor at Mrs. Mansfield's house, he at once divined the cause of her change of heart toward him and, having some money trouble, the two admirers of the siren became bitter enemies, each swearing savage vengeance upon the other.

On Saturday, December 31, 1871, there had been an examination, in the Yorkville Police Court, of Edward S. Stokes and Josie Mansfield on a charge of attempting to blackmail James Fisk, Jr. Mrs. Mansfield admitted that she had given to Stokes the letters written by Fisk to her,

but not for blackmailing purposes; and also admitted that Mr. Stokes had visited her two or three times a week for a year and a half. Mr. Stokes acknowledged his frequent calls, but said the acquaintance was an ordinary one between a lady and a gentleman; and he denied, as charged, that he had ever talked with Mrs. Mansfield about the amount of money Mr. Fisk ought to pay for the letters he had written to her. At the termination of the examination, the Court postponed the further hearing of the case for a week, and Stokes accompanied Mrs. Mansfield to her residence in Twenty-third street. He was seated with her in the parlor, when the door-bell rang, and a friend entered and told Stokes he had been indicted by the Grand Jury and that a bench-warrant was out for his arrest. He sprang from his seat with an oath and, hastily donning his hat and overcoat, hurried from the house. He went directly to the Grand Opera House and inquired for Col. Fisk (I omitted to mention that James Fisk, Jr. was a Colonel, for in the midst of all his other excitements, he "dearly loved the military," and accepted the Colonelcy of the Ninth Regiment, New York State Militia). When Stokes learned that the Colonel was not at the Opera House, he hailed a coupé, sprang in, slammed the door, and told the driver to proceed at once to the Grand Central Hotel, on Broadway. Arriving there, he jumped out of the coupé, and bidding the driver to wait for him, went up the stairs of the establishment, made a search through the parlors of the house, and was about to descend the stairs, when he encountered Fisk, who was on his way up.

Stokes had been informed that his examination, which I have so briefly referred to, was but the prelude to a much more damning kind of testimony to be adduced the ensuing Saturday. Ex-Judge William A. Beach, the counsel for James Fisk Jr., he was told, was prepared to prove him a most disreputable character, the companion of gamblers and

thieves, and a swindler and scoundrel himself; and counsel claimed he had testimony to show that Stokes had boasted that he could have sold Fisk's private letters to prominent politicians, and that he intended to make a million dollars out of them. Stokes's motive was to be proven to have been nothing but disgraceful blackmail from the start. Moreover, it had been rumored that Fisk had, through counsel, concluded a compromise with Mrs. Mansfield, whereby she was to receive fifteen thousand dollars and go to Europe, and Stokes was to be left out in the cold.

All of these causes, and the fact that his avowed enemy had thus far beaten him at every step, had ruined his character and made him a comparative pauper, combined, it was believed, to drive the unhappy Stokes to desperation. He insisted, on his defence, that the rencontre between him and Fisk at the Grand Central Hotel was totally unpremeditated on his part; that he had not the remotest thought of meeting Fisk on that day and at that place; but, as he was going down, or turning in the act of going down the ladies' staircase, he suddenly perceived Fisk coming up and looking toward him; that as soon as Fisk saw him, Fisk pulled a pistol and was bringing it up to a level when Stokes, to save himself, discharged two chambers of his own weapon, and immediately jumped to one side to get out of the range of Fisk's pistol.

The evidence on both sides was conflicting. Stokes had arrived at the Grand Central Hotel at four o'clock, and passed up the stairs by the private entrance, as sworn to. At a quarter past four, Fisk drove up to the same entrance, and, stepping out of his carriage, inquired of the door-boy if a Mrs. Morse and her daughters were in. This Mrs. Morse was said to have been the widow of the man who gave Fisk his first start in business, in Boston, and Fisk had provided for her and her family since her husband's death. The hall-boy answered that he thought Mrs. Morse

and her eldest daughter had gone out, but that the younger Miss Morse was in her mother's room. Fisk requested the boy to show him up, and the two started, Col. Fisk leading.

At that moment and before Fisk had mounted more than two steps, Stokes suddenly made his appearance, and a shot rung out which struck Fisk in the abdomen, passing downward, backward, and to the left, and inflicting a terrible wound. Fisk fell, shouting, "Oh!" but immediately scrambled to his feet again, when Stokes again levelled the revolver and fired another shot, the ball passing through Fisk's left arm without touching the bone. Fisk turned to run, but fell a second time, and slid to the bottom of the stairs, where he was picked up by those who had congregated on hearing the report of the pistol, carried upstairs to a room, where he was laid upon a bed, and the house physician was summoned. Stokes, meantime, had passed quietly down stairs into the office, where he made the remark that a man had been shot on the stairs. The hall-boy said: "Yes, and you are the man that did it." Stokes made no reply, but calmly awaited arrest; and Captain Byrnes and officer McCadden, having been sent for, took him into custody.

In the meantime, three prominent surgeons were sent for, as were also Jay Gould, Wm. M. Tweed, John Chamberlain, Col. Fisk's brother-in-law and sister, and several other relatives. The surgeons were obliged to administer chloroform before they could proceed with an examination of the wounds. While under the influence of the anæsthetic, Fisk suddenly arose to a sitting position, and they were compelled to jump upon him and hold him down. The hole in his abdomen, it was found, was large enough to have been made with a minié ball. The chances were thought to be ten to one against his recovery. Coroner Young summoned a jury, and Fisk made an ante-mortem deposition, the substance of which was in accordance with the forego-

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JAMES FISK, JR.

ing statement, he fully identifying Edward S. Stokes as the person who shot him; and John T. Redmond, the door-keeper, corroborated Fisk's evidence. Whereupon the jury found a verdict that "James Fisk Jr., had received his injuries by a pistol shot, at the hands of Edward S. Stokes," and they were temporarily discharged to await the result of Col. Fisk's injuries.

David Dudley Field, another of Col. Fisk's counsel, having been sent for, soon arrived, and under the Colonel's directions, drew up a will, in which he devised the whole of his property, whatever it might be, to his wife, his father and his sister. This done, it was thought best to put him under the influence of morphine, and he was soon sound asleep. He never recovered consciousness, and passed out of the world at an early hour the next morning, Sunday.

And thus ended the career of a man who had all the dash and audacity of a Napoleon of finance, and but for whose early help, perhaps, Jay Gould would not have been able to amass the many millions he left behind when he, many years afterward, departed this life. Stokes is still alive, but, after trouble with one of his relatives, he lost control of the Hoffman House, of which he claimed to have been wronged; and it is said that he has since led a life of probity, poverty and rectitude.

It is affirmed that Jay Gould and Stokes, from the first time they met, always cordially hated each other, not so much because they were so unlike in their outward appearance, as because they were so like in their shrewdness, reticence and nerve. Stokes was a fast, gay liver, fond of display, with artistic tastes; Gould was of a domestic, home-loving temperament, averse to display, caring nothing for art or anything but money. Both were first-class business men, cool, courageous, prudent, yet taking desperate chances occasionally. Partly, therefore, because too far removed from each other in character, and partly because, in other

respects, too closely resembling each other, they were always enemies. When Fisk, Stokes and Mrs. Mansfield were bosom friends and inseparables, Gould kept on terms of outward politeness with the two last mentioned, but was secretly and utterly opposed to their influence with Fisk. It was said that, at one period of her erratic career, the Cleopatra of Twenty-third street tried her fascinations on Gould, with the idea of substituting him for Fisk in her expensive affections. The fair "Josie," who was in matters of her own pocket very shrewd, saw that Gould was not only richer than Fisk, but more substantial, more likely to last. Sooner or later, a man of Fisk's stamp would be likely to get into some scrape, but a man of Gould's kind could and would wriggle out of anything. So the adventuress "set her cap" for the little Jay, but unsuccessfully. In the latter period of Fisk's checkered career, when his friendship for Stokes had changed to enmity, it was generally held by those in a position to know, that Fisk's course toward Stokes was engineered and dictated by Gould, who used Fisk merely as the agent to his ends. And after Fisk's death at the hand of Stokes, it was Gould, in secret, that fought for retribution, not so much upon the slayer of Fisk as upon his own enemy. It was, no doubt, an intuitive feeling of this kind that prompted Stokes to use the name of Jay Gould as he did, in the Court room, after his conviction at the first trial.

When the Jury had pronounced the terrible word "guilty!" Stokes, who had in the meantime taken his seat, arose, turned sharply on Mr. Beach, one of the opposing counsel, and said: "Mr. Beach, you have done your work well. I hope you will be paid well for it." Col. John R. Fellows, who was Assistant District Attorney, stated that Messrs. Beach and Fullerton acted with him at the earnest solicitation of District Attorney Garvin, and without any retainer from Mr. Fisk's family. Stokes again arose and,

in a harsh and unnatural voice, interrupted Mr. Fellows with the remark: "They receive their pay from Jay Gould. Why not speak it out?"

I referred above to Frederick Lane, who was the lawyer or factotum of Gould and Fisk, when all three were known as the "Erie clique." It had often been said that Fisk was the hand, and Gould the head, while Lane was the eye of the "Erie clique," for Lane was always on the *qui vive* for legal obstructions and furnished all the law for Gould to successfully stand on. But when Stokes's bullet put an end to Fisk, and the Erie ring went to pieces—like the Tweed Ring, after the fatal Central Park ride of Auditor Watson—Gould saved himself at the expense of Fisk and Lane. No one can assert that he absolutely defrauded either Fisk (or his representatives) or Lane; but he looked out only for himself. The result was that, while Gould held on to Erie and the Grand Opera House and doubled and quadrupled his wealth, Lane lost his grip and his Erie stock, and everything else he had in the world. And one day, while John Q. Hoyt, a New York banker and ex-Mayor of Chicago, was sitting in his business office, a poor, hard-up specimen of a man came in, and, shaking him by the hand—wringing his hand, in fact—begged him for God's sake to let him have a dollar. Then the mendicant burst into tears. He dropped into a chair, covered his face with his hands, and wept bitterly over his poverty and degradation. This poor, seemingly God-forsaken creature was Lane—the legal "lane" along which millions of Erie stock had passed into other people's pockets. Mr. Hoyt, as soon as he recognized the old lawyer, assisted him and tried to encourage him. But soon after this scene in Mr. Hoyt's office the poor fellow died—died not worth sixty cents, leaving behind him his old associate, Gould, worth more than sixty millions of dollars. Such is life!

LETTER XL.

ESCAPE OF "PRINCE HAL"—HIS DUPLICITY AND BASE INGRATITUDE TO A BENEFACTOR—MYSTERIOUS GATHERING AT GENET'S HOUSE—HIS ABDUCTION PREARRANGED, EVEN IF ASSASSINATION WERE NECESSARY—IMPRISONMENT OF SHERIFF BRENNAN AND HIS DEPUTY, AND DEATH OF THE FORMER—TWEED'S CONDUCT UNDER ARREST COMPARED WITH GENET'S—STORY OF THE MAN WHO HAD CHARGE OF BOTH PRISONERS.

MY DEAR DEAN:

I believe there is no place on earth where one can meet a more interesting "old timer" than in the City of New York. By "old timer" I mean one who has been identified with passing events, social, political or semi-political, in this City during the last thirty years; who has moved in the so-called higher circles of political life; who is punctilious in his dress and habits, and, while perhaps not educated in the higher branches of learning, has a general knowledge of literature, and ripe intelligence on all the topics of the day, on which he can express himself with fluency and force. There are many such characters in our city, and it is not too much to say that an evening spent with one of them, in a quiet, social way, is not only a most agreeable experience, but a profitable one also.

A few evenings ago I strolled into the café of one of the well-known hotels of New York and ran across former State Senator Cameron. The Senator, as he is still called by his acquaintances, although it is more than a quarter of a century since he held that office, is a man of above sixty years of age, tall, broad-shouldered, and erect as a Comanche Indian, of easy manners and graceful courtesy, and, although

of sociable tendencies in the company of his intimates, bears himself with inflexible dignity towards people in general, indicating in his every movement that he has not quite forgotten the days when he wore the Senatorial toga. Seated in easy chairs, our conversation had not proceeded far when his attention was attracted to a man who had just taken a seat at a table, about twenty feet from where we sat.

"You see that man over there?" he said, pointing towards him. "There is quite a history connected with him. He is one of the nearly extinguished lights of other days. Look at him now—worn, decrepit and withered, although he is not much more than sixty years old. No, it was not drink that did it. If he has contracted that habit, it must be the result of a sudden downfall in politics for which he was not responsible. You don't know him? Well, that is William H. Shields, who, twenty-six years ago, was a person of considerable importance in this town.

"Among the exciting things that followed upon the heels of Tweed's downfall was the conviction of State Senator Henry W. Genet, popularly known as 'Prince Hal,' for frauds committed in the building of one of the District Court Houses. He got the name of 'Prince Hal' on account of his dash and liberality in spending money, (nearly all of it other people's money,) which he threw around like an American Monte Cristo. It was said that he would lose as much as twenty-five thousand dollars in one day on a race track, without in the slightest degree disturbing his joviality, and that he kept personal retainers on his staff, after the manner of Tweed himself. His losses at the gaming table were also the subject of much comment. But he had fat opportunities of purloining public money, which he took advantage of with dashing recklessness. He was a prime favorite among the sporting and political fraternity, and his conviction was the sensation of the hour.

"Matthew T. Brennan was then Sheriff of New York, and Shields was married to his favorite niece. At the time of Genet's conviction, Shields was Chief Officer of the Court of Oyer and Terminer and Deputy-Sheriff. He was the Sheriff's confidential officer, and when Tweed was taken into custody, during the three days that elapsed between his conviction and his sentence, it was Shields who had charge of him. He slept at Tweed's house, at Forty-Third street and Fifth avenue, every night, accompanied him in the day time around town, nearly every day visiting with him the club of the Stable Gang, as it was called, corner of Elizabeth and Bayard streets, where Tweed met his old genial companions, Judge Scott, Laith Hall, George Butts, Charlie Hall, James Ingersol, Dave Miller and others. After Tweed's sentence, in November, 1873, Shields took him to the Tombs, and ten days later lodged him safely in the Penitentiary on Blackwell's Island. Besides, Shields took a large number of convicts, many of them dangerous outlaws, to States Prison, without mishap of any kind, during the three years he served under his uncle-in-law, Sheriff Brennan. He was a tried and faithful official, and had justly won his chief's confidence. So that when such a distinguished prisoner as 'Prince Hal' needed 'protection' he was put in charge of Shields.

"Genet escaped from Shields by a mean trick. As a special favor he accompanied Genet to his home to let him take farewell of his wife, and he escaped to the back-yard through a window upstairs. Sheriff Brennan and Shields were imprisoned for thirty days in the County jail. Brennan had held many important offices, prior to this time, having been Police Justice, Comptroller and Police Commissioner, in each of which he served the people satisfactorily. He was a very proud man, was then getting old, and was so deeply mortified by his imprisonment and the abuse he received from the public press that he never recov-

ered his former self. After getting out of prison he kept to his house, and although up to this episode he was one of the most popular men in New York, he never again took any further interest in public affairs, and died not long after in comparative obscurity. Shields was an ambitious young man, of excellent appearance and manners, active and courageous. It was openly intimated in the public press that he had received a large sum of money for conniving at the escape of Genet, but events have proved this to be a cruel falsehood.

"At that time, to my own knowledge, Shields had bright political prospects. A few weeks before he was offered a nomination from his own district for the lower branch of the Legislature, but declined because he was on the 'slate' for the then important office of Coroner, to be filled the following year. From the day he got out of prison twenty-six years ago, he has been known to be without money. He lost his hold in politics, and has been ever since trying to turn his hand to many things; but the clouds seem never to disappear, and he had never been able to get on his feet. Many years ago he left this city and went to Mount Vernon, in Westchester County, where he has tried to eke out a living as an Insurance and Real Estate agent. But here he comes this way," said the Senator. "Perhaps he might tell us the particulars of how Genet escaped from him."

As he was passing by, the Senator hailed him, whereupon Shields approached us.

"How do you feel, old fellow?" said the Senator.

"Well, I am dragging along as best I can," said Shields, dejectedly. Having been introduced to me, he said: "Oh, yes, I remember Mr.—— as a member of the Legislature."

Then as he took a vacant seat beside us, the Senator said: "I have been just talking about you in connection with the escape of Genet, which brought you so much trouble, and

day morning, when I took Genet to Court to be sentenced; but, his lawyer having made some motion, the Judge remanded him still further until Monday morning. After we got out of the Court room Genet asked me to take him across the street to the United States Court Building, which was then in Chambers street, saying that he wanted to see John I. Davenport, the notorious Republican Supervisor of Elections. Davenport took Genet into his private office, closing the door and leaving me in the main room. This was about eleven o'clock in the morning.

While I was waiting there, to my surprise, in walked Sheriff Brennan himself, having learned somehow that I had taken the prisoner there. He handed me an anonymous letter, which he had received that morning, warning him that a plot was on hand to secure Genet's escape. I told the Sheriff that I saw nothing yet on which I could really base a suspicion, but I asked him to let me lock my prisoner in the Tombs so as to take no risk whatever. The Sheriff hesitated, and muttered that he did not like to do anything harsh. I then knocked at the door of the room where Genet and Davenport were and I called Genet out, and handed him the anonymous letter. After he read it, he pleaded with the Sheriff that the letter was nothing but malice, and he again solemnly stated that he would play no mean trick. This satisfied the Sheriff once more, and we returned to the Astor House. During these days, Genet's lawyers tried to get a stay, but failed; and now Genet felt sure that he would be sentenced on Monday morning. On Sunday evening, about seven or eight o'clock, there were several of his friends in his rooms at the Astor House, and amongst them were gambler Murray, Ed. Moore and Joel O. Stevens. It was arranged that I should take Genet that evening up to his house at One Hundred and Twenty-fifth street and Second avenue, to transact a little business and take leave of his wife.

Ed. Moore said that I must be tired out, and that it would be better for Deputy-Sheriff McGinnis, who was present, to take charge of Genet in going there, so that I could take a rest. I went across the room to Stevens, my superior officer, and told him of the suggestion. After thinking a little while, he said that I had better continue as I was, as it was the Sheriff's orders. So we started out—Genet and myself—with my assistant, Michael Cahill, in a carriage. On our way up we called at the Brower House and had a few drinks. We lingered so long there, the proprietor of the Brower House, Joseph Crochen, being an intimate friend of Genet, that we didn't arrive at his house until near midnight,

"When we went into Genet's house, we found about sixty of his friends in the parlor, with plenty of whiskey for them to drink. Of course I cannot recall the names of all who were there, but I know that Ed. Moore, Jack Dawson, Murray, Tom Walsh, George Lynch, Ed. Hyde, a race-track man, Phil. Jonas, ex-Judge Pearson and Jeff Crombie were present. Genet remained in the parlors among them, chatting with everyone all around, for about half-an-hour, and then went up stairs. After waiting for about an hour, and Genet not making his appearance, I asked some of those present if Genet had yet come down stairs. Jack Dawson replied, carelessly, that he was up stairs and would be down very soon, he expected. Not satisfied with this, and some dread coming over me on account of the anonymous letter and the other circumstances related, I rushed up stairs in search of him. His wife met me at the head of the stairs and, in answer to my inquiry, said that he was not there and that she thought he was down stairs. Whereupon I went past her, and proceeded to search the rooms. Not finding him, and now thoroughly alarmed, I returned to the parlors and confronted his intimate friends Moore, Dawson and Murray

and others, and asked if there was a foul deal. But they assured me that there was no such thing, and that if Harry had left the house he would surely be back again. Then I looked and saw my carriage was still outside. I jumped in and gave instructions to drive me to the Remsen House, on Third avenue, thinking that perhaps Genet had gone there to bid goodbye to the proprietor, John Black, who was a close friend of his. When Black told me that he had not seen Genet and that he knew nothing of his whereabouts, I got bewildered. I then drove around to Ed. Moore's house at One Hundred and Seventeenth street and Avenue A, and rang the bell furiously. Almost immediately Ed. Moore, with his overcoat and hat on, opened the door, and seemed startled to find that it was I who called, and looked as if he expected someone else. He protested that he knew nothing at all of what had become of Genet. Notwithstanding my pleadings not to have me ruined forever, I had to leave without getting any satisfaction. Again I hastily returned to Genet's house, and found that all the gang had left. I then realized that I was tricked and cheated; I knew that his escape was the result of a well-laid plot; and then I completely broke down. How could I face the Sheriff, and how could I face the public?

"What I suffered from that time, now about five o'clock in the morning, until I went to the Sheriff's office, to give myself up to my chief, no one who has not gone through such an experience can realize. When I told my tale to the Sheriff—which I was only able to do imperfectly, for I sobbed and cried like a child—he uttered no word of rebuke. He was greatly moved, but was calm and composed.

"For the next few weeks diligent search was made for Genet, but all to no purpose.

"Then came an order from the Supreme Court (Judge Daniels) to bring Sheriff Brennan and myself before him, and after some argument we were both condemned to im-

prisonment in the County jail for thirty days. While we were in jail strong efforts were made to have us indicted by the Grand Jury for additional punishment; but under the circumstances the Grand Jury refused to indict. We were denounced and hounded by the public press,—myself particularly—as though we had committed a great crime, when the truth is that we did nothing more than extend a usual kindness to a prisoner."

Here Shields became visibly affected, and was about to leave, when the Senator said: "Shields, I believe your story absolutely, and so must every man who has followed your career from boyhood."

Having called for more refreshments, the Senator swung off to another subject. "Under your charge, Shields," said he, "you have had many prisoners great and small. Of whom, among them all, have you the pleasantest recollection?" "Well," said Shields, recovering himself, "I have no hesitation in saying that, after some days' experience with him as my prisoner, William M. Tweed was the finest character in distress I ever knew. I am not going to say anything about what he was guilty of in public affairs, but, as man to man, I believe he was the soul of honor. Here was a man, who only a short time before had the power of a king, now a convict in my charge; yet no word of reproach for anyone escaped his lips. When mention was made of men whom he took out of poverty and raised to wealth and prominence, who now deserted him, and were afraid to be seen recognizing him, it only brought from him a sad smile, but no criticism whatever. Not only this, but forgetting, you would imagine, his own great grief, he was anxious about even my comfort. He treated me, when I slept at his house, in the same manner that a gentleman would treat his most honored guest. I could go to sleep and never have the most remote idea that he would play any mean trick upon me. Every word he uttered showed him to be full of

sympathy for his fellow man, and I tell you that notwithstanding the fact of the proofs against him, he loved New York City. No use of talking about this now, because no one will believe it, but he expressed the hope that no matter what became of him, New York would yet be the great City of the world. I heard his son, one day, denounce Charles O'Conor for some bitter public statement he made against his father, and Tweed said, stopping him, 'O'Conor thinks he is doing his duty, my boy.'

"Tweed was brave as a lion all the time he was in my company, so to speak," continued Mr. Shields. "In fact, having perfect confidence in the success of his lawyers, he was all the time cheerful and ready for a joke. I remember, during one of my visits with him to the headquarters of the Stable Gang, in Bayard street, just as we entered, 'Hank' Smith, Tweed's Republican confrère in the Board of Supervisors, after warmly greeting him, and shaking his hand, said 'Boss, we were just listening to a story about you and Riley's liberty-pole. McDavidson was telling us how mad you once got, when foreman of Big Six, because your engine could not throw water over the top of Riley's pole, and how you endeavored to put up a job on the other fire laddies by hiring a sailor to climb the pole at night and cut off six feet of it, so that when next Big Six came to throw water she could accomplish what all the other engines had failed to do.'

"'That's true,' said Tweed, with a hearty chuckle, 'but perhaps Mac did not tell you how the sailor tricked me. I promised him ten dollars to do the job, to which he agreed, but wanted five dollars in advance. I gave him the five dollars, and that was the last I saw of the chap for more than a year, when, one day, I chanced to meet him and demanded an explanation of his treatment of me. Then he coolly told me that, as he had only taken half the money he felt that he was only obliged to climb half way

up the pole, and he had done this; he had given me five dollars' worth of climb. The cool impudence of the fellow dissipated all disposition to get mad at him, and I passed on, inwardly admiring his gall.'

"'Yes,' said Smith, 'McDavidson gave us all that, but told us further that when he was last in your place, over the Broadway Bank, some one, telling him the story, pointed out to him the sailor occupying the post of outside sentinel. We had a laugh over the fellow's cheek in imposing on you—first pocketing your money, and then receiving an appointment at your hands.'

"'That's a mistake'; said Tweed, 'he did not impose on me. About two or three years ago, the sailor in question had the assurance to come and introduce himself to me as the man I had engaged to trim Riley's liberty-pole, and adding that he had had no luck since he acted so mean about that job, asked my forgiveness and wanted me to give him a chance to keep him from starving. Well, I so much admired the fellow's audacity that, putting my hand in my pocket, I gave him a five dollar bill, saying: 'There, that will keep you from starving, and it squares our account. I promised you ten dollars for the job, and you tricked me. Now, I am going to try and make an honest man of you. Come and see me to-morrow and I will give you work.' He came. I appointed him as an outside messenger, and I never had a better man in office. I believe the chap still holds the place. So, he didn't fool me. His cheek carried him through.'

"That was just like Tweed," Shields added. "If he was the 'Boss Thief of the World,' as Lawyer Peckham once called him, but which I do not believe, he had a heart, as the boys used to say, as big as a meeting-house. I became so attached to him that there was nothing I would not do for him within the lines of my own duty. Before he was locked up in the Tombs, I went to the

LETTER XLI.

EXCITING OLD-TIME PRIMARY IN THE SIXTH WARD—VOTERS IN LINE DURING AN ENTIRE NIGHT AND DAY—"BIG JUDGE" MICHAEL CONNOLLY AND POLICE JUSTICE "JOE" DOWLING EXCHANGE BACKHANDED COMPLIMENTS—HOW A WARD POLITICIAN TESTED HIS INFLUENCE—GETTING "TEN DAYS" FOR A PRESUMPTION OF INTIMACY WITH "JOE" DOWLING—DARING ENCOUNTERS AND HAIRBREADTH ESCAPES OF THE SIXTH WARD JUDGE.

MY DEAR DEAN:

My last letter dealt with the treachery and escape of "Prince Hal" Genet, as dispassionately pictured by William H. Shields, the custodian whom he betrayed and whom he left under a lasting cloud of obloquy. After Shields had gone, that evening, Senator Cameron and myself walked homeward together, both musing for awhile on the perversities of human conduct.

At length, to change the tenor of our thoughts, I said to the Senator: "Matthew T. Brennan, while Police Justice, and Police Justice Joseph Dowling created a great scene in front of the Tombs Police Court one day, did they not?"

"No," he replied, "it was not Brennan who had that trouble with Dowling; it was Police Justice Michael Connolly. It is true that Brennan and Dowling had a great fight over the Primaries held in the Sixth Ward, but this was while Brennan was Comptroller. Brennan, after he became Comptroller, moved up town and left the Sixth Ward, his native heath; but he still wanted to keep control of the political strings in that locality. Judge Dowling, supported by Johnny Stacom and other local political lights, opposed this programme and asserted that when

Mr. Brennan left the Ward for good he should let go his grip on it. Besides, Dowling was ambitious to fill that post himself, and he thought this was a good opportunity to accomplish it. I don't believe there ever was another such Primary held in the City of New York, from every point of view. Whether you consider the importance of the prize involved—for the Sixth Ward then, as now, was the stronghold of Democracy—or the prominence and power of the contestants, each having a large number of adherents who held office under their respective leaders, or the desperate character and recklessness of the great bulk of the two factions who would as soon fight as eat, that Primary is worth a prominent place in history. Both sides being thorough experts in the art of handling Primaries, there was no trick or device known in that particular sphere of governmental science which had not been put in operation. The day before the polls opened, men belonging to both factions placed themselves in line so as to cover the approaches to the polling place, in order to prevent their opponents from reaching the polls; but, both sides being skilled in this manœuvre, the line was made up alternately, or very nearly so, of Brennan and Dowling men. They continued in this position during the night and all of the next day until the polls opened on the evening of the second day. Sandwiches and beer were served among the men at the expense of their respective leaders. It is not necessary to describe the numerous skirmishes which this condition of affairs provoked, but there were numerous charges and counter-charges of assault and battery as the result of it. Brennan won, and Dowling had to play second fiddle as before.

"But," I remarked, "didn't Capt. Rynders and the Empire Club take part in that Primary?"

"No," said the Senator, "that was an entirely different scrimmage, and happened some time before; and it was

not at a Primary, but at a Nominating Convention. It happened this way: Capt. Rynders had long ruled the Sixth Ward with a rod of iron, backed as he was on "emergency" occasions by the Empire Club. "Con." Donohue, who was at the head of the Street Cleaning Bureau of the "Bloody Sixth," began to "feel his oats," and thought it was about time that he ought to have something to say. So, when Rynders announced himself as a candidate for Member of Assembly, and began "laying pipe" for the nomination, "Con." Donohue concluded that the time to checkmate the arrogant Captain had arrived, and he made preparations accordingly. Dooley's "Long Room," in Duane street, was the place selected for holding the Nominating Convention, and on the appointed evening it was brilliantly lighted up. The attendance was unusually large, the spectators outnumbering the delegates four or five to one. The Convention, to all appearance, promised to be as lively as a Primary, and as exciting as a prize fight. The Empire Club had come early and was present in large numbers; "Con." Donohue was also early on hand, and his friends were quite as numerous. The trouble began with the nomination of a chairman for the Convention, and it ended there, for the meeting terminated with its beginning—it did not get beyond the proposition to nominate a chairman. Rynders nominated his man, and "Con." Donohue nominated a representative of his side of the house. Then began the circus; yells first, and then blows. The Empire Club "sailed in;" so did the Donohue Sixth Warders; and in less than ten minutes Dooley's "Long Room" was only about half full, with "Con." Donohue and his friends inside of it, while the other half, comprising Rynders and the Empire Club, were on the outside. After that night, Rynders ceased all attempts at political advancement in the

Sixth Ward. "Con." Donohue became ruling monarch, and "Matt." Brennan was his idol.

"To return to the wordy quarrel between 'Big Judge' Mike Connolly and Judge Dowling to which you referred a while ago: "Joe" Dowling was a curious character in his day. Very dressy and gay in appearance, he walked with attempted dignity, after he became Judge, but in point of fact succeeded in only presenting a specimen of the Bowery gait. It was said that his early youth was spent in the employ of one Tommy Hadden who kept a well-known liquor store in the Sixth Ward, until he finally got an appointment on the Police force. To a great extent he carried with him some of the characteristics of the rough element with which he had associated in his younger days. He was sharp, cunning and self-reliant.

"Michael Connolly, many years before he became a Police Justice, was the proprietor of a liquor saloon. He was friendly, jovial, and harmless; was regarded as thoroughly honest, and his amiability carried him to the extent of entertaining his customers by playing on a violin, in which he showed, however, very indifferent talent. At the time when he was Police Justice, his stature was that of a giant. Huge layers of flesh encumbered his body. He had an immense, expansive, almost immeasurable abdomen, while his cheeks hung down over his shirt collar, which, taken in connection with his broad face, highly colored with good living, gave a look of prodigious area to the front part of his head. He dressed in black, wore a high silk hat, and carried in his hand a stout ebony cane, surmounted with a massive gold head. He was the very embodiment of good nature, and his kind heart and liberality to the poor, combined with his well-known social qualities, made him one of the most popular men in New York.

"From the diverse qualities of the men it can be readily understood that Judge Dowling and he could never agree.

the main aisle and approached the iron gate in front of the space assigned for counsel and the Judge's Bench. The officer in charge, observing Hadden's condition, refused to open the gate, although Hadden had told him to do so very peremptorily, saying that he wanted to see the Judge on important business. The Judge, hearing the dispute and observing Hadden's condition, instructed the officer to 'let that man in.' Whereupon Hadden looked in triumph at the officer, and leered at him. When he approached the Bench he laid his elbow upon it and smiled at his 'friend Joe.' 'What do you want?' asked the Judge, sternly. 'Say, Joe,' replied Tommy, in a confidential whisper, 'you sent me friend Jim Huntley yesterday to the Island for ten days.' 'Do you want to see him?' asked the Judge. 'Yes, of course I do,' replied Hadden. 'Then you go up for ten days to the Island,' said the Judge.

"Thereupon the officer seized Hadden, who at first made a slight attempt at resistance, hustled him downstairs and locked him up in a cell. It is only fair to state, however, that when Hadden slept off his drunk later in the afternoon the Judge released him. Throughout the Ward there was great joking over Tommy Hadden's 'influence' with the Judge.

"Another display of Dowling's humor upon the Bench," continued Senator Cameron, "was not relished by a man arraigned before him for having severely beaten his wife. 'You are a brute!' said the Judge, addressing the prisoner, 'to have assaulted your wife in this manner. What have you got to say for yourself?' 'Well, your Honor,' pleaded the prisoner, plaintively, 'I forbid her to go into Gumbos's dance-house, and that night when I went in there, there she was.' 'But aren't you in the habit of going there yourself?' inquired the Judge. 'Yes, your Honor; but you know a man can go anywhere!' 'Then you go to the Island for ten days!' promptly rejoined his Honor,

"Yes; Joe was a character in his day," said the Senator, as he bade me good night.

The Senator was correct. Joseph Dowling was one of the most remarkable characters that has ever appeared in the history of New York Politics. For thirty-five years and more he was identified, directly or indirectly, with almost every stirring event in the metropolis. Like almost all the old politicians he was a "fire laddie," and while connected with Engine No. 7 many a deed of pluck and endurance was recorded of him. At a fire in Pearl street he entered a building completely wrapped in flames, as if challenging destruction, and brought out in his arms a woman and her sick child, leaving them only when they were safe in the care of terror-stricken relatives, while the cheers of the crowd proclaimed him the hero of the hour.

As a policeman he was equally distinguished for his daring bravery and for the "nattiness" of his personal appearance. But his uniform often got sadly tossed and torn in some of the rough experiences through which he had to pass. Those were fighting times, and many a tough encounter he had with the members of the Dock Gang, among whom for awhile his duties lay. One is recorded in which he is said to have boarded a Chili bark, where a fight was going on among the sailors, and attacked the combatants single-handed with his club. Suspending operations upon each other, both sides turned on him, and having harmoniously beaten and kicked him until they left him for dead, resumed their fight. He still however retained consciousness, and while the sailors were engaged with each other he managed to roll unobserved to the side of the bark and creep on the pier. Gathering all his strength, he summoned assistance, and boarding the vessel again, with a competent force, arrested the entire crew. How he escaped death and achieved this feat greatly added to his professional character, and gave him the reputation of having as many lives

as the proverbial cat. His numerous encounters and hair-breadth escapes would fill a volume. When the Prince of Wales was in New York and wanted to see the sights it was Dowling who escorted him around. The Prince took a great fancy to him. Many years after when Judge Dowling visited England, the Prince was one of the first to welcome him. "But somehow," said Dowling, "his Nibs never asked me home to dinner, and I never saw his mother even once."

When in London, he made himself so famous by one of his exploits, that "Punch" proposed the erection of a statue in his honor. It was during one of his excursions among the lower ranks of London life, about whose habits he was naturally curious. He had retired to bed, leaving the gas turned down quite low, when, about three o'clock in the morning he suddenly woke up. Jumping out of bed, and turning on the gas, he saw two sturdy-looking ruffians at his trunk. As he approached they turned and grappled with him. The two men in boots were too many for one in his bare feet, and Dowling was tumbled. Grasping a chair, however, as he fell, he sprang to his feet, and attacked his assailants with such tremendous force that he literally beat them to the floor. He then called or rang for assistance, and marched his prisoners to the Police office. The "American Judge," as he was called in London, was a hero while he remained in that City.

With his death literally passed away one of the old "stagers" from the scene on which he had made his impression for over a generation.

LETTER XLII.

EVENTFUL CAREER OF JOHN MORRISSEY—EVOLUTION OF A PRIZE FIGHTER—FAMILY QUARRELS WHICH ENDED IN THE ROPED ARENA—MORRISSEY EMERGES FROM HIS SURROUNDINGS, TURNS UP A CONGRESSMAN AND BECOMES A POWER IN NEW YORK POLITICS — CEREMONIOUSLY VISITS NEW YORK'S MAYOR IN A SWALLOW-TAIL COAT—HIS FEARLESSNESS AND AUDACITY IN A POLITICAL CANVASS—HOW HIS FIRST SPEECH IN THE LEGISLATURE WAS DELIVERED—DEFEATED THE BOSS IN HIS OWN DISTRICT—A TRIUMPH WHICH SOON ENDED IN HIS DEATH—PATHETIC AND TOUCHING CEREMONIES IN THE STATE LEGISLATURE.

MY DEAR DEAN:

I have had occasion, once or twice, in the course of these letters, to refer to John Morrissey, and in a way which perhaps carried with it the presumption that you were as familiar as myself with that conspicuous figure in metropolitan politics. No one of his time, not even Tweed, or John Kelly, was more of a star on the political stage than was Morrissey, and his origin was quite as humble, if not more humble than that of either of his two contemporaries.

John Morrissey was quite a different sort of man from that which he was believed to be. He was, in every sense of the word, a rough diamond; a man of extraordinary energy and determination, noted for his integrity and for his loyalty and fidelity to friends, and brave as a lion; but he had an ugly side when he chose to show it, knew how to "freeze on" to money, thought a good deal of himself, and during the early part of his career was surrounded by a rather rough circle of friends. Born in Ireland, he came to America when quite young, and settled in Troy,

Rensselear county, in this State, where he evoluted into a full-grown American. Morrissey grew up to be a great favorite as a young man in Troy, which secured him the enmity of another young resident of that City, one John C. Heenan, afterwards a noted prize-fighter. Their enmity did not arise from crossing each other's paths in a social way; it was a sort of grudge inherited from their fathers. The elder Heenan was a great hand at cock-fighting. He and Morrissey's father once had a serious difficulty about a cocking-main, when each called the other hard names, spent a number of dollars in "lawing," and died hating each other with an intense hatred. Their descendants took up the quarrel and had many a "spat." Young Heenan went to California, where he spent a couple of years at a place called Benicia, and learned how to be quite handy with his fists, through which he became known in sporting circles as "the Benicia Boy." Both he and Morrissey happened to reach New York City about the same time, and both had developed remarkable skill in what is called "the art of self-defence."

For awhile after his arrival here, Morrissey found occupation as an emigrant runner, but all the time, as one of his friends stated, he was "chock full of fighting." He was powerfully built, strong as an ox, and seemed to be afraid of no one. His reputation as a fighter got so high that "Tom" Hyer, then a celebrated pugilist, became a little jealous of him and stigmatized him as "that blower from Troy," which led to a personal encounter of the two men on the corner of Canal street and Broadway, their arrest by the police, and both being placed under heavy bonds to keep the peace. About a year after this, Hyer had a prize-fight with the notorious "Yankee" Sullivan, famous in his day on both sides of the ocean. Hyer came off victor. In the meantime, Morrissey had been taking the conceit out of another prize-fighter, named George Thompson; after which

contest, he also had a fight with "Yankee" Sullivan and whipped him; and then he was eager to have a contest with "Tom" Hyer, but somehow they never could come to satisfactory terms. One night at a sparring match Heenan did some very effective work with the gloves, which got to Morrissey's ears; whereupon John, thinking it a good time to settle up old scores, sent his "card" to Heenan, with an intimation that he would be pleased to "exchange compliments" whenever convenient to him.

A battle was arranged to take place at Long Island Point, Canada, about eight miles from Buffalo, New York. Heenan had previously fought and whipped "Tom" Hyer; so Morrissey in this contest was inspired with the hope of "killing two birds with one stone"—that is, of "licking" Heenan and Hyer, or Hyer's conqueror, in one fight. Heenan put in all his best work at the beginning of the encounter. The first round lasted nearly seven minutes, and showed good work on both sides; but Morrissey had much the worst of it; his nose was broken, and everybody believed Heenan would be the victor. Morrissey looked somewhat "out of sorts;" but he soon recovered, like a bull-dog from a bite, and went to work again with a will. Before the fistic duel was half through, Heenan could only do what Morrissey had to do at first—stand punishment. He did not have strength enough left to strike; he could only stand and be struck; and after awhile, in the seventh round, he could not even stand up, and Morrissey was declared the victor, his success making him "the champion of America."

Morrissey, who was then the favorite in sporting circles throughout the country, soon after this resolved to "turn over a new leaf," dropped prize-fighting and opened a gambling-house, in which he gained celebrity and made considerable money, both in New York and Saratoga, his houses being credited far and near for "square business."

He still kept up, however, his inherited taste for cock-fighting. Former Senator Henry W. Genet, in his palmy days, had a like propensity; and he and Morrissey arranged a famous cock-fight, which came off in the presence of six hundred people, the admission being ten dollars a ticket. Twenty thousand dollars in bets were said to have exchanged hands on this occasion. There were three different contests, with half a dozen birds on either side in each contest. Morrissey's birds did well, but Genet's did better. In two out of the three battles, Genet's birds had the advantage, and so "Prince Hal" came off victor.

Morrissey had some very warm and devoted friends among the "gentlemen gamblers" of the metropolis, and he made, through his success, some very bitter enemies among the fraternity. One of these was George Hill, who, to get even with Morrissey, opened an opposition game at Saratoga. Hill fitted up a cosy place on the Lelands' ground, in the rear of the Grand Union Hotel; while Morrissey's handsomely equipped establishment fronted on Congress Park, in the rear of Congress Hall. Hill proclaimed that Morrissey would never dare to cross the threshold of his place, or, if he did, that he would not leave it alive. Morrissey never "took the dare." George Hill was, perhaps, the only man John Morrissey ever feared. In a personal encounter, Morrissey, being nearly twice the size of Hill, could have picked him up and thrown him over his shoulder; but Hill was a dead shot with the pistol, and Morrissey believed he had "murder in his heart." So while they were rivals in business for many seasons, at Saratoga, they never came in conflict.

With success in the accumulation of this world's goods, Morrissey became ambitious, and he received in 1866 a nomination for Congress, anxious, as he said, to "drift away from the notoriety he had acquired as a prize-fighter" and secure a position in the political world. He served

two terms in Congress, and doubtless made a satisfactory record, for no adverse comment was passed upon him during his Washington career. Morrissey was an active co-worker in Tammany Hall up to the time of the "Young Democracy" revolt, in 1870, and he then ceased his connection with Tammany until after the downfall of the Ring in 1871, when, at the solicitation of Tilden, he joined Kelly, in 1872 in his effort to rehabilitate that organization—then only a wreck of its former self—and was hand in glove with Kelly until after the election of Mayor Wm. H. Wickham, in 1874.

John Kelly always had a high regard for John Morrissey because, in his youth, Kelly, although not a professional pugilist, rather loitered on the "ragged edge" thereof. In their youth he and David C. Broderick (afterwards United States Senator) and another boon companion named William Lloyd, used to strike from the shoulder a good deal, and won some renown as an illustrious trio of "clever boys.". Therefore, a man who had acquired the distinction of "champion of America" was one to whom Kelly was willing to take off his hat. Besides, Morrissey had been, like himself, a Congressman, had never been guilty politically of any misconduct, and had unmistakably a very large following among the sporting men of New York, with whom Morrissey was very popular. Hence the two Johns, Morrissey and Kelly, often had confidential talks over men, matters and things political, while pulling together for the resuscitation of Ring-destroyed Tammany.

In the fall of 1874, as the time was at hand to select local nominees, Kelly, although having almost supreme control, thought it best to consult at least Morrissey, who had considerable strength among the rank and file of the organization, and who might be able to make some trouble "if things did not run a little his way." Kelly decided also to bring County Clerk William Walsh into the confer-

ence. So the three met in a little room, about six feet square, in the County Clerk's office, to select the Mayor and other functionaries for the City and County of New York. The duties these three politicians assumed did not strike them as at all unique or in any way extraordinary, and they approached the performance of the task with the business-like air and gravity of men who were commissioned by some hidden power to execute this great work for nearly one million people.

The portentous meeting was called to order, as it were, with Kelly of course presiding. When the door of the little room was closed, and a guard placed on the outside, so as to secure strict privacy, Kelly opened the proceedings by saying:

"Gentlemen, I called you together for the purpose of selecting candidates to be nominated next Monday evening. Now, there is a young man of excellent character and a neighbor of mine, William H. Wickham, who would make a good Mayor for this City, and I would"—

Morrissey: "Hold on, Mr. Kelly, please! I want Jimmy Hayes for Register."

Kelly: "Let us dispose of one thing first and we will take up the others after."

Morrissey, who had an inkling that Kelly favored Alderman Richard Flanagan for Register, and fearing that Kelly, after he had secured Wickham for Mayor, would spring Flanagan, grew red in the face, as he said, determinedly: "If you want Wickham for Mayor, I want Hayes for Register. I don't go one unless you go the other."

"I have not said that I was unfavorable to Mr. Hayes for Register," rejoined Kelly, diplomatically, "but the first in order is the choice for Mayor; let us dispose of this position, and then we will take up the Register."

Morrissey, seeing Kelly's determination, shifted his position, and "feinted nimbly with his left." "Well," said

he, "personally I have nothing against Wickham, but if you were to take off your hands from him and stop pressing him, he could not carry the Convention. He is not known among the boys."

This set Kelly thinking, and after a short pause he said: "Mr. Wickham can be made a very strong candidate before the people. He is young, bright, and an excellent business man, and will give a good administration."

"There is no more popular man in the lower part of the City than Jimmy Hayes, where the strong Democratic vote is, and I want him for Register," said Morrissey, doggedly.

Kelly knew that John Morrissey was a man whom it was very necessary to conciliate. So he forgot his friend Flanagan for the time, and consented that the nomination of Hayes for the office of Register should be conceded to Mr. Morrissey, who then said: "All right! I am now for your man Wickham for Mayor."

The interview soon came to a close. Then Kelly sent for Augustus Schell, who had been "slated" for the nomination for the Mayoralty, and told him that, in the interest of harmony, he had found it necessary to make such arrangements as would preclude him (Schell) from being the nominee for Mayor, at this time, and that it would be necessary for him to withdraw from the field. Mr. Schell was astonished at Mr. Kelly's change of mind, but promptly acquiesced in his wishes; for Kelly was Boss. The gentlemen chosen by the two Johns were nominated (or, rather, endorsed) at the ensuing Tammany County Convention, but only one was elected. For, notwithstanding that James Hayes was all Morrissey claimed, very popular and in every way worthy of the suffrage of his fellow citizens, his Republican opponent was elected. This was largely owing to the fact that his opponent, Patrick H. Jones, had donated all the salary of the Registership to the widow of Col. Charles G. Halpine (popularly

known as "Miles O'Reilly"), while filling his unexpired term, and in consequence thereof had won the endorsement of the German or Ottendorfer Democratic organization.

Wm. H. Wickham was a graduate of the Volunteer Fire Department, and a very bright, active and intelligent man of business. He sought to bring business methods into the Mayor's office, and in doing this he instituted certain rules. Among other new arrangements, he placed in the ante-chamber of the Mayor's office an attendant whose duty it was to receive the cards of all callers, and their names were in a business-like way to be presented to the Mayor in rotation. One day, about a month after the first of January, 1875, without any previous notice, John Morrissey entered the City Hall, and, it being the first opportunity he had had, thought he would call and see Mayor Wickham, whom he had been somewhat instrumental in placing in that position. I may here remark that Morrissey was most gentlemanly in his deportment among gentlemen, but he had great dislike to the "putting-on of airs" by any one. Entering the ante-chamber of the Mayor's office, he, unconscious of the new rules, made a dive for the door leading to the Mayor's room, as he had done when calling on previous Democratic Mayors. The attendant, ignorant of who the visitor was, caught him by the arm, and requested him to take a seat and wait his turn, at the same time asking him for his card. There were several persons present whom Morrissey recognized and who knew him, and he felt a little mortified at the check, but asked, with as much coolness as he could command, "By whose orders are you acting, may I inquire?"

"By order of his Honor Mayor Wickham," replied the attendant, in a somewhat dignified manner.

"Is that so?" returned Morrissey. "Well, give my compliments to his Honor Mayor Wickham, and ask him to tell 'Billy' Wickham that when John Morrissey has time

to put on French airs, he may call again. Good day, sir!" And he strode away.

A day or two afterward, John Morrissey, dressed up in fashionable style, with swallow-tail coat, patent leather boots, white kid gloves, overcoat slung over his left arm, and carrying a book, was met by his old friend, John B. Haskin, on Broadway, as he was about entering the City Hall Park.

"Hullo, John," exclaimed Haskin, "what's up now? Going to a wedding?"

"No," replied Morrissey; "not so bad as that. I've just bought a French dictionary to help me to talk to our dandy Mayor. I'm going in full dress to make a call, for that is now the style at Hotel Wickham," pointing to the City Hall, "No Irish need apply now," added Morrissey, with a parting chuckle.

And he was as good as his word. He did call upon the Mayor, just as stated, and, pulling out a card-case, requested the attendant to present him. The Mayor received him, laughed as heartily as he could at Morrissey's rebuking joke, and apologized frankly on behalf of an attendant so untutored as not to have known that there were exceptions to all rules. But the joke on Wickham got spread around and was the nine days' talk of the town.

When the time came for the nomination of State Senators in the Fall of 1875, in some way, through the jar and friction of politics, John Kelly and John Morrissey no longer "slid on the same cellar door." Some malcontents, headed by Thomas Costigan, had organized what was known as the Irving Hall Democracy, and Morrissey had there found an abiding-place.

James O'Brien, who had succeeded Kelly as Sheriff of New York several years before, and who had been instrumental in unearthing the Ring frauds which saw light in the New York *Times*, got a seat in the State Senate during

the upheaval in the Fall of 1871; and in 1873 John Fox, who had been an associate for many years with Tweed in the old Board of Supervisors, and who had also served a couple of terms in Congress, was elected to the State Senate in Tweed's old Senatorial district (the Fourth). The notion then seized Morrissey that he himself, with his experience as Congressional representative, might make as acceptable a Senator as either of the gentlemen named, and he accordingly "set sail for that port." As he and Kelly were "out," his only chance of success was to unite all the anti-Tammany element, and he had the audacity to select for his field of battle the Fourth Senatorial District, which had almost invariably recorded 11,000 majority for the Tammany ticket. Perfecting his plan, he had himself nominated for Senator in that district, in 1875, all the anti-Tammany factions rallied to his support, and his nomination was endorsed by the Republicans, making the fight an open and square one between Tammany and anti-Tammany. Then the war of the clans began in earnest—John Kelly and John Fox versus John Morrissey; and before the campaign ended many demi-johns had come to grief. It was indeed a hot contest. Morrissey threw himself heart and soul into it, and in the district which had been so long an invincible Tammany stronghold, he came out a winner by a majority of 3,377 votes—much to the chagrin of "a pair of Jacks."

Although he was a sporting man and a gambler, ran a race track and a faro bank, John Morrissey, after a fashion of his own, was a religious man; and, strangely enough, the first speech he made at Albany, in 1876, was on a religious-political question. A measure was before the Senate relating to a Roman Catholic institution, known as the "Gray Nuns bill," and the feeling for and against it was rising fierce and high. One morning, after listening to some red-hot abuse of the Roman Catholics, Morrissey rose from his seat, boldly determined to say something, but was

suddenly seized with "stage fright." As he told a friend afterwards, "he had never felt so mean in his life before; tackling Yankee Sullivan or John C. Heenan was nothing compared to his condition." He stammered and blushed like a school-boy. Most men in his position, would have been laughed at or coughed down; but his associates in the Senate liked Morrissey, and courteously waited till he had time to recover from his fright. A bit of weakness of this kind was not discreditable to a man who had shown more than a dozen times that he was no coward.

At last, he recovered his voice and self-possession. But when he started he clipped his words, repeated his phrases over and over again, and his grammar was a failure. It was evident, however, that he understood the subject he was talking about, and although his manner was poor, his matter was sound, sensible and manly, and his utterances were more admired for what he meant than for what he said or the way he said it. When the Associated Press reporter telegraphed to the New York papers that Senator Morrissey had addressed the Senate on "The Gray Nuns bill," the official stenographer received a request to telegraph his notes to the Associated Press papers. The stenographer spoke to Morrissey about the matter, and found the Senator rather adverse to publicity. "I let my feelings lead me into it," he said, "and I am sure what I said won't read nice; but if the public want it, I suppose they are entitled to it, though I am afraid the papers won't be so kind to me as my colleagues have been."

The stenographer looked over his notes, and found that the speech did not "read nice." But he liked Morrissey, and determined to do him one of those favors often extended to speakers by stenographers. He rewrote the speech, keeping in the gist of John's plain, blunt, common-sense words. The "revised" speech appeared the next day in the papers, and Morrissey was much complimented upon

it by his New York friends. Then he sought the stenographer and said: "My dear boy, I thank you for all the trouble you have taken; I wish to God I could make a speech like what you have given the papers. It contained the very words I would have used if I had only known how to use them. I never went to school in my youth, like other boys; I only wish I had. My ideas are all there, but the lay-out is so much better—I mean the whole thing is so much better expressed, that I feel like kicking myself for not having in my early days struck out for books instead of striking out from the shoulder. Take this, my boy (handing him a ten-dollar bill), you have richly earned it, and may God bless you!" And forever after the stenographer had the highest respect for John Morrissey, whose unpretentious manner in the Senate chamber won him many friends.

During his Senatorial term Morrissey introduced many and voted for all the Reform (or anti-Tammany) measures which came before the Legislature; thereby provoking the bitter hostility of the Tammany leader. The district from which Morrissey was elected lay in the lower part of the City and its population was made up, for the most part, of wage-earners. It was claimed that no district except the one which had elected Tweed in 1871, while under indictment, (for this was Tweed's old district) would have elected an ex-prize fighter and gambler. The taunt galled Morrissey for its reflection not only upon himself but upon his constituents. It was not his intention to return to the Senate, but a circumstance occurred which determined an opposite course.

Kelly, being especially anxious to elect a Democratic Senator from his (the Seventh) district, in 1877, resolved to nominate the strongest man he could find. It was one of the most wealthy and fashionable districts of the City. Augustus Schell, long a resident of this district, was a

man of high standing in the community. He was wealthy and influential. He was a director in the Vanderbilt railroad and was at this time Grand Sachem of the Tammany Society. Such was the man whom Kelly announced as his candidate for the Senate in the Seventh District—the man whom he had "turned down" as a Mayoralty candidate the previous year. To the surprise of every politician in New York, Morrissey announced that he would run against Schell and beard Kelly, so to speak, in his own den.

"They say that no other district would elect me, but the Fourth," remarked Morrissey. "I will now fight Kelly in his own district up-town and will enter the contest against his great champion, Augustus Schell."

And so he did. The Republicans of the district endorsed him. The feeling ran high. Both sides were on their mettle and money flowed like water. It was a battle involving not so much the office as the prestige of victory. Although in poor health, Morrissey entered into a most vigorous canvass. During its progress he was violently attacked by a lawyer of some prominence at that time, John D. Townsend, who, in the public prints, accused him of being a gambler and a policy-dealer, and declared that he had been indicted for assault and battery, for instigating prize fights, for burglary, and three times for assault with intent to kill, and gave Tweed as authority for affirming that Morrissey was famous as a ballot-box stuffer and, in recognition of that service, he (Tweed) had sent him to Congress. Townsend also claimed that Morrissey, while a member of Congress, had a percentage in the game of faro at Washington. His indictment of Morrissey, in the public press, wound up as follows:

"Another charge against Morrissey is that he managed through a willing Judge (George G. Barnard) late at night, to be appointed Receiver of a lottery business worth at least half a million of dollars. The

following morning early he sold out to a friend for twenty-five thousand dollars, on an understanding that he should be interested. I know of nothing since the time when Fisk used to parade his mistress at watering-places and through the public streets, when Judges sat in his box at the theatre and at the table of his mistress, that could do more to destroy virtue in the minds of the young, than the election of John Morrissey from one of the most respectable, literary and high-toned districts in the City."

Regarding Townsend's charges Morrissey stated to a newspaper reporter:

"Well, that's the old story, you know. They have printed such things every time I have been a candidate for office. If I had my life to live over again, I would change a good many things. But no one—not even Tweed, who hates me,—ever accused me of being a thief. I was a wild young fellow, and as a young man I have been in a good many wild scrapes that I am sorry for; but I never stole anything, and no man will ever say I broke my word. I wouldn't take 'a certificate of election' from any other Senatorial District in the City, at this time, than the one I am running in. I wanted to run in John Kelly's district, if I ran at all, and to let the people of that district say, squarely, whether they were in favor of a man who had honestly tried, in the last Legislature, to stop the squandering of their money—of a man who voted for all Reform measures in the last Legislature, or in favor of John Kelly, who, as the leader of Tammany Hall, did his best to defeat every single one of them."

The result was another triumph for Morrissey, showing a majority of 3,874 over Augustus Schell. But from the exertions incident to the canvass he never rallied; his already shattered health became more and more impaired; and by the advice of his physicians he sought a Southern climate, in the hope of recuperating. He was of course unable to take his seat in the Senate chamber, and spent the Winter in Florida; but, not improving in condition as he had expected, he started for New York on March 28, 1878. He caught a severe cold on the voyage home, from which he never recovered. On April 19 he was removed to Saratoga, where he seemed to improve, and he felt sure he would soon be able to take his seat in the Legislature, but, on April 29, his right arm became paralyzed and he lost

the power of speech; but this was restored in a few hours. The next day, all hope of his recovery was abandoned. He said: "I am running neck and neck with Death, and rapidly tiring." From that time he remained in a semi-conscious condition till the hour of his demise.

The death of Morrissey was announced to the Senate by Lieut.-Gov. Dorsheimer, the presiding officer, on the evening of May 1, when Senator Harris (Republican), of Albany, in proposing the appointment of a committee to draw up a memorial and resolutions respecting the deceased, said that the vacant chair of the dead man had constantly reminded his brother Senators throughout the Winter of the terrible struggle he was making against death, and had excited their pity and sympathy. Senator Harris added in conclusion:

"The deceased was every inch a man. His marked characteristic was his great courage. It is doubtful whether such boldness and daring in political annals were ever shown as were displayed by him in his last canvass in New York. Let us place on record an evidence of our estimation of a brave man and a respected associate."

In the Senate chamber on May 2, the desk and empty chair of the deceased Senator were draped with black crape, and upon the desk there rested a pyramid of white roses, lilies and spring flowers, and a large floral cross, a tribute from the Gray Nuns, whose cause Morrissey had championed during his first year in the Legislature.

Among other resolutions reported to and adopted by the Senate was the following:

Resolved, That we desire to certify our respect for the remarkable qualities of the deceased—for his individuality of character, for his great moral courage, for his devotion to principle and to his friends, for his persistent energy, which marked his life-long struggle against formidable obstacles, and, above all, for his rare and unquestioned integrity.

Eulogies on the deceased were delivered by Senators Harris, Jacobs, McCarthy, Wagner, Pomeroy, Ecclesine and

others. Senator Pomeroy (Republican), among other kindly allusions to the deceased, said the recollections of his past life were obliterated by the high-toned and efficient manner in which he conducted himself during his legislative career. Senator McCarthy (Republican) said:

"To know the deceased was to respect and love him. He had few superiors in plain common sense. How sweet to feel we can inscribe on the tablets of time: 'Here lies an honest man, who had power to raise himself above circumstances and perform all duties faithfully.'"

Senator Thomas C. E. Ecclesine (Democrat,) of New York City, spoke as follows:

"It is not my purpose to add any lengthy eulogy to the words of sorrow and sympathy that have been pronounced on the occasion of the death of Senator Morrissey. Simple and natural as the man himself, whose death has filled this chamber with grief, simple and natural and without any effort shall be the few words that I shall offer as a tribute to his memory. I do not care here to rehearse the political victories he has attained. He won them all by hard and vigorous fighting, and owing mainly to the witchery of his own personal individuality. He was placed in a position in life where all the circumstances were unpropitious to success, but he had a vigor of purpose with a manliness of soul and kindliness of heart that endeared him to those who knew him, and won for him, from hard fate, the glories and honors he attained. But if he had won naught but these, glorious and honorable as they are, his life record would have been poor indeed. But there are other honors that are not chanted and do not become parts of the page of history. There are other victories won in the hearts of the poor and helpless and oppressed; there are chaplets that the loving hands of widows' gentle touch have sanctified more than any that adorn the brow of statesmen. There are chaplets of the poor, whom he never forsook, the oppressed, for whom he was always kindly disposed, and those who needed charity for whom his generous purse was always open—these will lay their tributes of respect upon his grave. John Morrissey had naturally a large and capacious intellect, but he had a larger, brighter and warmer heart. Many and many a story of want relieved, desolation soothed, and misery rescued, will be told of him when other memories will be faded and forgotten. He is dead. It is the common heritage of the sons of men. He has gone to that land of shadows, toward which we are hastening; but he has gone, buoyed up and soothed by the hopes of a blessed immortality,

hopes that lift the dark pall, from the portals of the tomb, rob the grave of its victory, and death of its sting. And while, in the language of the old Latin poet, we may say '*sit terra tivi levis*,' 'May the earth lie light on his body' we may also add the words of that Church in whose faith he died, 'May Heaven have mercy on his soul.'

Brighter, fairer, far than living,
With no trace of woe or pain;
Robed in everlasting beauty,
Shall we see thee once again?
By the light that never fadeth,
Underneath eternal skies,
When the dawn of resurrection
Breaks o'er deathless Paradise."

The popular branch of the Legislature, the Assembly, also adopted resolutions, expressing deep regret at the loss of Senator Morrissey, and among others, Assemblyman Fitzgerald (now Supreme Court Judge) and Dr. I. I. Hayes, the Arctic explorer, then a member of Assembly, eulogized his manly characteristics, and spoke of the high esteem in which he was held by all who knew him. Fitzgerald, who represented an Assembly District in Morrissey's Senatorial District, said:

"No lengthy eulogy is needed to endear the memory of the deceased to all his constituents. The lesson of his life is one of innate strength of character triumphing over all obstacles and accidents. Only a few months ago the strong man whom we are now called upon to mourn, achieved his last and greatest political triumph. To-day the vacant chair in the Senate chamber is decorated with flowers, sadly reminding us that 'Death rides in every passing breeze and lurks in every flower.' Uncompromising honesty, a generous heart, and an open, manly hand, were the weapons with which Morrissey distanced many more favored competitors in the race of life."

Dr. Hayes, a leading Republican member of the Assembly, spoke as follows:

"I scarcely know what tribute to pay to the distinguished dead. He was distinguished beyond most men because the occasion and development of his distinction abided within himself. Yet he was not a self-made man, but a God-made man; for all that he did was in a manly way that God put in him. He often spoke of his faults. We rarely perceived them, because his merits compelled our attention. His merits are now perceived in the home to which he has gone, and his faults (less than

those of most of us) are purged away by the long suffering he endured, and gilded over with the many benevolences of his most kindly heart."

Assemblymen Thomas F. Grady, James Daly and Erastus Brooks (Democratic members of the House) also delivered brief eulogies, and ex-Governor Alvord, who occupied the Speaker's chair, declared the House adjourned, in accordance with the usual custom in such cases.

Lieut.-Governor Dorsheimer and Senators Harris, Jacobs, Robertson, St. John, Pomeroy, Hughes, Wagner, Ecclesine and Wagstaff acted as pall-bearers at the funeral of the deceased Senator.

The New York *Tribune* (Republican) of May 3, 1878, made the following comment on the death of John Morrissey:

"If anywhere a glowing eulogy could be pronounced upon the character of John Morrissey, it would be in the Legislature, where he always kept his hands clean and bore himself modestly. All the resources of the language have been so often exhausted in praise of men who were secretly corrupt and wicked in public life as well as in private, that few will grudge the kind words which were bestowed yesterday at Albany upon the memory of the gambler member, who never was even suspected of taking a bribe."

LETTER XLIII.

SIX-MILLION CIVIL SUIT AGAINST TWEED—CRITICAL CONDITION OF THE PEOPLE'S LEGAL CHAMPION—CHARLES O'CONOR'S REPORTED DEATH CAUSES COURTS TO ADJOURN—THE CIVIL SUIT PROGRESSES, AND ITS SATISFACTORY CONDITION ELATES BOTH TWEED AND HIS COUNSEL—BUT O'CONOR'S UNEXPECTED APPEARANCE FROM HIS SICK CHAMBER CAUSES CONSTERNATION—HIS GHOST-LIKE ASPECT IN COURT—COUNSEL FOR THE DEFENCE ASTOUNDED—GREETED BY PECKHAM AND CARTER, HIS ASSOCIATES—O'CONOR'S EXTRAORDINARY DEMAND AND SUCCESS—TWEED FORESEES HIS DOOM AND MAKES PREPARATIONS FOR FLIGHT—A SUGGESTION FOR MEMBERS OF THE NEW YORK BAR.

MY DEAR DEAN:

After Tweed's escape from Ludlow street jail, on December 4th, 1875, his whereabouts was a matter of the wildest speculation. The criminal part of the play was over, for he had served out his term in the Penitentiary, which had been shortened from twelve years to one by the Court of Appeals, as related in a preceding letter, and the only thing he had to fear now was a judgment in the civil suit for six million dollars, under which judgment he could be kept incarcerated in the County jail probably for the rest of his life. It was while this suit was being pressed in the Supreme Court that he made his escape. If the judgment was in his favor he could return to the City and be a free man, but if against him, he did not propose to be imprisoned for life in a civil action. The action was brought on for trial at a term of the Supreme Court, before Justice Westbrook, a country Judge who was regarded as favorable to the Ring. In the Legislature of 1882 an effort was made to bring Articles of Impeachment against Judge

Westbrook for corrupt practices, the movement being headed by Assemblyman Theodore F. Roosevelt, the present Governor of the State and the hero of San Juan. But the initiatory step was defeated by a majority vote in the Assembly, and the matter was abandoned. Before the Six-million-dollar action against Tweed was brought to trial, the leading Counsel for the people, Charles O'Conor, was stricken down in a bed of sickness. The Tweed side, seeing an advantage in this, for O'Conor was regarded as invincible in Court, pressed the case for trial, thus leaving the management of the trial on behalf of the people in the hands of O'Conor's junior assistants, James C. Carter and Wheeler H. Peckham. On the other hand, fearing the loss of O'Conor at the trial, the friends of good government became alarmed. O'Conor was not only seriously ill, but his life was despaired of. The most intense interest was centered in the chances of his recovery. Without his masterful hand it was believed that through the ability of Tweed's leading counsel, David Dudley Field, the big case would be dismissed by Judge Westbrook or a verdict of the Jury rendered in favor of the defendant, and that in a few days Tweed would return, not only free, but partly vindicated in the public mind, and that, because of his popularity —which, strange to say, had not yet left him—and his wonderful magnetism, he would soon be able to restore his shattered political fortunes. Therefore, all seemed to depend upon O'Conor. No great man's sick bed was ever watched with more anxiety. Newspaper reporters surrounded his residence, at Fort Washington on the outskirts of the City, and lived in that neighborhood day and night watching the crisis of his ailment. Had he been some prince or potentate whose death affected the succession to a throne, there could not have been more universal commotion. Bulletins from the eminent physicians constantly at his bedside announced almost hourly his condition. Every

newspaper in the City had special bulletins posted several times a day, before which eager crowds gathered to learn the news of the great lawyer's chances. The case went on and Tweed, it was said, was concealed in the Palisades of New Jersey, dressed as a wood-chopper and living in this disguise in the hut of a laborer and apparently working every day as a hired man. Eagerly every morning did Tweed read the newspapers brought to him by his faithful friend and boss laborer, and news was conveyed to him by Field that the case had taken such a shape that it must be surely dismissed.

O'Conor's condition was pronounced hopeless by his physicians. His age, he being now 71 years, told against him, and it was conceded that he was sinking. Believing that he would not live to see the dawn of November 30, several newspapers that morning published long obituaries of him. Some of the Courts adjourned out of respect to his memory, speeches eulogistic of the supposed dead leader of the Bar being made by prominent lawyers in moving the adjournment. O'Conor himself, all the time quite conscious, felt that if he must die, he would (as he stated himself) "die in peace," peremptorily refused to take any more medicine and dismissed his physicians. During the night he sucked an orange and began to get relief. Next day, instead of being dead, he was much better, and inside of a few weeks his iron will brought him out of bed, and his slow convalescence began.

While O'Conor was thus battling with death at Fort Washington, Tweed's counsel were strenuously urging the case to trial, naturally anxious that their client should face his crisis during O'Conor's absence and disability. On February 7, 1876, the trial began; O'Conor being still confined to his room. On the day that Richard O'Gorman, former Corporation Counsel, was called to testify, I attended the great trial. The Court room was crowded to excess, and I took

a seat at the back of the Clerk's desk on a projection of the bench underneath, my back to the Judge overhead, and my face toward the audience. From my position I commanded a full view of the entrance.

David Dudley Field, assisted by his son Dudley Field, was in the act of examining a witness. His caution was evident at every step; he sometimes put half of a question, came back, consulted with his son, and instead of finishing the question withdrew it entirely. He was so careful, so watchful, so stealthy in his movements that that great old lawyer seemed, figuratively speaking, to be walking on eggs.

He was closely watched by Carter and Peckham for the people, but one could see buoyancy and triumph in the whole attitude of David Dudley Field. His anticipated triumph could not be concealed, and his son was wearing a smile of perfect confidence. While he was about to ask another question of the witness, a sudden commotion appeared at the entrance of the Court room. The Court officers were making way for somebody, the chairs were moved about, and with the shuffling of feet some noise was created. Mr. Field halted in his question, and turned round. Then I saw the tall form of Charles O'Conor, pale, emaciated and feeble-looking, with the collar of his great coat raised about his neck, slowly and painfully walking forward towards the Bench. Almost every man in the Court room rose to his feet but maintained a respectful silence. He approached still further, and his junior assistants Carter and Peckham went towards him, and greeted him in surprise and delight. Nor was Field long behind them. With magnificent courtesy he congratulated his old associate at the Bar on his recovery—a recovery which was to consign his client to perpetual imprisonment. Then the Judge came forward and shook O'Conor's hand and expressed delight at his wonderful escape from death. The

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CHARLES O'CONOR'S unexpected and ghost-like appearance, from his sick chamber, startles the Court at the TWEED trial.

trial was again resumed and O'Conor, still wearing his great coat although the room was warm and stifling, sat down beside his associates, while Field, now more cautious and less confident than before so far as one could judge from his appearance, proceeded to question his witness. While this was going on both of O'Conor's associates kept whispering to him. I sat within a few feet of them, directly facing them. O'Conor said only a few words in reply to their remarks. His face was drawn, his complexion sallow, his lips dry and parched, and he occasionally moistened them with his tongue. At length, apparently irritated at the whispering of his juniors, he deliberately rose, took his chair and, placing it a few feet away from them, sat down and listened intently to the questions and to the answers of the witness. Ten minutes did not elapse when he rose and said: "If your Honor please." This was enough. Field knew what was coming, and sat down. O'Conor slowly, and with the aid of some one near him, took off his great coat and began to speak, his words being drawn out and his manner extremely painful to witness. I recollect his first words.

"This morning, your Honor, I read in one of this day's papers, in my bedroom to which I have been confined for some time with sickness, the testimony given yesterday for the defence in this case. I do not come here to find fault with anybody, but, your Honor, that testimony was wholly irrelevant, and not one word of it or of Mr. O'Gorman's testimony which I have heard to-day should have been admitted."

Then simply, plainly, logically, he pointed out to the Court that the object and the only object of the testimony objected to was to divert the minds of the Jury from the real issue in the case. Let me briefly explain the point involved. After the conclusive proofs of the Ring's rascality had been published in the *Times;* after the Committee of Seventy had threatened prosecution; and after Tweed had resigned his office as Commissioner of Public Works, the Corporation Counsel (doubtless at the instance of Tweed

and his confederates) in order to show good faith on the part of the remaining city officials, commenced an action on behalf of the Mayor, Aldermen and Commonalty of the City, against Tweed and others to recover the money alleged to have been fraudulently abstracted from the Treasury, hoping thereby to anticipate, or rather perhaps, checkmate, any action intended to be instituted at the instance of the Committee of Seventy. But the able men behind the popular movement, led by O'Conor, Tilden and Evarts, were not to be caught napping, and they applied to, and induced, the Attorney General of the State to appoint Mr. O'Conor a Special Deputy Attorney General for the purpose of prosecuting actions against Tweed and his confederates on behalf of the People of the State of New York.

Accordingly such an action was brought and thus two actions, one by the State and the other by the City, were being prosecuted at the same time against Tweed. The Tweed lawyers assailed the action taken on behalf of the State, mainly upon the ground that the money alleged to have been stolen was the property of the City, and not of the State, and instituted proceedings to have the latter action discontinued. After going through the various stages of litigation in the lower Courts, the proceedings to compel a discontinuance reached the Court of Appeals for final decision and, to the surprise of the lawyers for the people, that Court decided that the action by the State was unauthorized and must be discontinued. The action by the People of the State therefore was formally discontinued, and Tweed and his confreres were jubilant. But in reality they had little reason to be. The counsel for the People, led by Mr. O'Conor, feeling that justice would not be done in the action brought in behalf of the City, by the Corporation Counsel—in other words that action was regarded as a mere device to serve Tweed—determined that they should not be outflanked. So during the session of the Legisla-

ture of 1872, Mr. Tilden, who became a member of the Assembly for the special purpose of passing reform legislation, pushed through a bill providing that the people of the State might maintain such an action, notwithstanding that the City had already begun an action for the same purpose. The new action, which was commenced under the provisions of this statute, was that which was being tried when Mr. O'Conor made his appearance in Court, as described in the early part of this letter. The testimony of Mr. O'Gorman, alluded to by Mr. O'Conor, was to the effect that the action brought against Tweed on behalf of the City was in good faith, and to that end he had employed ex-Judge John K. Porter and other lawyers to assist him.

These associate counsel were some of the foremost lawyers in the City, men of reputation for public spirit and integrity second to none, and were retained doubtless so as to act as a counterweight to the "tone" and respectability of the counsel for the People.

Mr. O'Conor demonstrated that the question of good or bad faith of the action on behalf of the City had no bearing on the case before the Court, which was being conducted under the authority of the statute, and moved to strike out all the testimony on that subject. When Mr. O'Conor, plainly exhausted even by the exertion of this brief argument, sat down, David Dudley Field arose in full fighting trim. He first proceeded to show that the law under which the present action was brought was specially enacted by Tweed's enemies to accomplish designs for his overthrow; that the legislative authority was invoked not for general purposes, as the Constitution provides, but for the special purpose of one man's destruction, political and social. Then Mr. Field, with almost fierce emphasis, exclaimed:

"Fifty years from now men will stand amazed that a system of legal procedure was specially devised to meet the case of one individual.

This law should be branded as trifling with the dignity and grandeur of our Judicature, which was established for the whole people. But, upon the strict rules of legal procedure and well-established principles governing the trial of causes, the motion of the distinguished counsel for Municipal Reform (Mr. O'Conor) cannot be entertained. The evidence was offered and accepted without objection and most of it had been on the record for two days. The Court accepted it without objection or question. The distinguished associates of Mr. O'Conor, who have had charge of the trial for the people, accepted the issue based on that evidence; they think they are correct in their views. Now comes forward one of their associates, who differs from them on this point, and asks that the testimony to the admission of which they have substantially consented, be stricken from the record.

"This is such a novel and, I might add, revolutionary suggestion, that the distinguished counsel himself must admit that it cannot safely be given the sanction of a Court of law, and that such a proceeding, so subversive of regularity, cannot be established as the rule of law governing the Courts."

During this and more of this line of argument, Mr. Field's manner and attitude was one of defiance, and he resumed his seat with an air of absolute confidence that Mr. O'Conor's motion could not prevail.

O'Conor immediately arose and seemed for a moment to throw off the signs of languor manifest when he sat down at the close of his first argument. He was on his mettle, and began with cutting emphasis:

"I am asked, indeed asked almost in the nature of a challenge, if I must not admit the soundness of the propositions enunciated by the distinguished counsel for the defendant. Why, your Honor, such propositions never were the law, are not now the law, and never can be the law, or the practice, where law is intelligently and honestly administered. No technicality shall bind public justice. If this evidence is here, no matter how it came or who may be responsible for it—and in this connection I must say that your Honor is in no way responsible, because it was admitted without objection for a purpose which is antagonistic to the ends of public justice—and your Honor believes it to be such, more especially as it is wholly irrelevant, it is the duty of the Court, at any stage of the case, to strike it from the record. There is no doubt of your Honor's legal powers to do so. The question is purely one of discretion on the part of the Court. Shall it be said that this public malefactor shall be permitted

to steal $6,000,000 of the people's money and retain it because a Judge is hampered by a mere technicality? No, sir! The Judge, the sworn servant of the people, rises above all technicalities in the cause of public justice, and will brush aside small obstacles which may stand in the way of recovering back to the people the property which has been feloniously filched from them."

He sat down, but it was easy to see that his argument and his manner of delivering it, cold, severe, rasping and aggressive, had figuratively lifted the Judge from his seat. He was completely in O'Conor's grasp, and with a few explanatory words decided that he would strike out the evidence. Not expecting that the Judge would decide so promptly, Mr. Field started to his feet, saying: "Before you decide, your Honor, I wish to be heard further." He was heard further, and at length, but it was of no avail. The Judge struck out the testimony of several distinguished witnesses, including that of Mr. O'Gorman and John K. Porter, and the trial proceeded under new auspices.

Tweed, in the meantime, was carrying on his avocation as laborer in the Jersey Palisades, but when, the next morning, he read in the newspapers that O'Conor had appeared in Court, the Boss read his doom, accepted it as such, and without further delay began his preparations to flee the country. This unconscious tribute of Tweed to the power of O'Conor was justified by the sequel. The case now went on day after day with O'Conor at the helm, until on the 9th of March, 1876, the jury brought in a verdict against Tweed for over $6,000,000.

For all the splendid services rendered during these years, to perform which he had come forth from his retirement at an old age, having many years previously withdrawn from the field of practice, Charles O'Conor declined to accept any compensation whatever. He was the master-spirit that guided the criminal as well as civil proceedings against the Ring; he, more than any other man, had contributed to their downfall, disgrace and punishment; he had recovered

a judgment of $6,000,000 for the City against Tweed, the moral effect of which was to frighten another public plunderer into making restitution to the city of $400,000.

And all this was done without ambition other than the noble ambition to benefit his fellow citizens and purify the management of political affairs. Unlike Mr. Tilden, he had no political axes to grind, no revenges to gratify.

Yet, strange to say, no monument stands in our city to commemorate the superb public services of Charles O'Conor, or impress upon the rising generation the lesson of his patriotism and worth.

Soon after his triumphs he retired permanently to Nantucket, a beautiful Island situated in the Atlantic Ocean, about twenty-five miles from the mainland, off the coast of Massachusetts, on which he had constructed a magnificent residence. His wife having died many years before, leaving no children, here he spent, almost in entire seclusion, the remaining portion of his life. He died on the twelfth day of May, 1884, having passed the eightieth year of his age.

LETTER XLIV.

TWEED FACES HIS TWELVE YEARS' SENTENCE IN THE PENITENTIARY—HIS STRANGE HOLD ON THE AFFECTIONS OF THE MASSES—THE COURT OF APPEALS COMES TO HIS RELIEF—RELEASE FOLLOWED BY RE-ARREST—TWEED'S ESCAPE WHILE IN CHARGE OF SHERIFF'S OFFICERS—HIDES IN THE PALISADES, DISGUISED AS A WOODCHOPPER—HIS FLIGHT, CAPTURE AND RETURN TO LUDLOW STREET JAIL—PATHETIC APPEAL TO HIS PROSECUTORS—HIS LAST DESPERATE EFFORT TO SECURE FREEDOM—OFFERS TO SURRENDER AND TELL EVERYTHING—ALL HOPE GONE, HE DIES BROKEN-HEARTED, AND IS BURIED IN GREENWOOD CEMETERY.

MY DEAR DEAN:

After Tweed was taken into the Chambers of the Supreme Court, the day of his sentence, as related in a preceding letter, he was a pitiable sight. The dreadful words of condemnation which fell with such emphasis and force from the lips of Judge Davis, and the still more dreadful sentence of twelve years, which, considering his age, was equivalent to imprisonment for life, had such a crushing effect upon him, that he appeared to be dazed. He was taken to the Sheriff's private office, to await the making out of the commitments by Chief Clerk Sparks, while his lawyers were making out papers in the vain hope of procuring a stay from some Judge. They applied to several Judges, including Judge Pratt, of Brooklyn, and Judge Ingraham, of this City, and all to no avail. The night grew on, but still a vast crowd remained around the Court House. An effort was made to disperse it by a ruse. A man was led out of the Court House and hustled into a

carriage, while somebody in the scheme loudly cried out: "There goes Tweed!" and the carriage drove quickly away. The Court room doors were then closed, to further indicate that Tweed had been taken away. A large majority of the crowd, however, remained and watched every approach from the Court House, still evidently believing that Tweed was inside.

Long after the commitments were in the hands of the Sheriff, the prisoner was kept in the private office of that functionary. He was weak and exhausted, and lay on a couch. Those in the room talked in whispers, while the fallen potentate closed his eyes in apparent slumber. The midnight hour chimed out from the bells of Trinity Church, but still no stay. Yet they lingered in hope. Tweed's son, General William M. Tweed, Jr., went several times out of the room, where his father was resting, through one of the lower windows, going over to Delmonico's, corner of Chambers street and Broadway, to learn news from the lawyers, who were to report there when a stay was had, and always returning with a dejected countenance. Thus did they linger and wait, all night, until five o'clock in the morning. Abandoning all further hope, Tweed arose from the lounge to go to the prison. Notwithstanding the hour, the crowd still remained outside, during that Winter's night. Tweed was taken up stairs and conveyed to the main entrance, on Chambers street, walked down the marble steps, leaning on the arm of his son, entered a carriage with the Sheriff's officers, and was driven to the Tombs, outside of which a large crowd was waiting to get a last glimpse of the fallen potentate.

Whatever may have been the transgressions of Tweed, and they were many, it is not to be denied that he had a strong hold on the affections of the masses. In that early dawn stood hundreds of people who kept vigil the live long night, not from idle curiosity, but to pay a tribute of

friendship and devotion to him in the hour of his affliction. A man who stood in their midst, one George Middleton, who kept a liquor saloon at Leonard and Centre streets, whom almost everybody knew in that part of the City, expressed the general sentiment of the crowd, who endorsed his words, when he said: "The majority of people with whom I talked believe that the prosecutors of Tweed did wrong; for they fooled the Jury into the notion that Tweed could only get one year under the verdict they gave. Does anyone think that the Jury meant to give Judge Davis power to send him to prison for over a hundred years; as he could, from the way the prosecution and the Judge looked at it. I heard John Graham's argument, and you bet he is right, that the Jury only intended one year for Tweed. I'll bet a hundred dollars to ten, that the higher Courts won't stand for it." George Middleton was right. The Court of Appeals afterwards cut down Tweed's sentence to one year, as the maximum limit.

"No doubt that he will break down under the disgrace," continued Middleton; "although he is as brave as they make 'em; but the law is a terror when it takes a hold of a man, no matter who he is. Men who fawned upon the Boss in the days of his power are now afraid to speak to him. Why, only the very day the Jury brought in the verdict, I saw Tweed ask John Ballington, the chief officer, who holds that position and every position he ever had from him, for a glass of water, and Ballington pretended not to hear him; he was too much afraid of the Reformers to show Tweed even common kindness. Charley Devlin, like a man, went on his bond, and John Morrissey, who had not spoken to Tweed in years, on account of politics, went to the District Attorney, and said he would go on the old man's bond. Tweed has thousands among the poor to-day, who bless him. He kept the poor employed, and they would have done anything for him."

This utterance was warmly approved by those who listened. What a strange condition of society! Here was a man who, it was positively proven, had stolen a million of dollars of the people's money, and who let others steal until at least six millions of dollars were feloniously abstracted from the public treasury, now, when condign punishment had overtaken him, exciting sympathy as if he had been a martyr in the cause of humanity.

Criminal as he was, Tweed was treated with every consideration by the prison authorities. While in the Tombs, he was allowed to see his friends, and given other privileges, that showed the undercurrent of sympathy which ran even in the hearts of his keepers for the man who had so suddenly fallen and fallen from so great a height. The cell assigned to Tweed had none of the features associated with the idea of prison life. It was not, in fact, a cell at all, but a room furnished with more than ordinary comforts.

When he had served twelve months on Blackwell's Island, Tweed paid a fine of $250, in accordance with the contention of his counsel that his legal term of imprisonment had expired. The Court of Appeals, however, not having yet passed upon this point, he was held, until liberated under the decision that the cumulative sentence of twelve years imposed by Judge Noah Davis was illegal.

Immediately upon his release from the Island, Tweed was arrested under a Civil suit for $6,000,000, brought under the provisions of a special Act referred to in a preceding letter, and was taken by the Sheriff directly from the Penitentiary and lodged in the County jail, located in Ludlow street. Of this legal proceeding and its result, I have also spoken in a previous letter.

On the evening of December 4, 1875, the City was startled by the news of Tweed's escape from Ludlow street jail. His life there had been a mystery. It is said that

he had been frequently driven out in a closed carriage, was taken sometimes to the theatre, and was allowed to dine with his own family in his house, in Madison avenue, several times every week. While on a visit to his house, on the evening of December 4, under charge of Warden Dunham and Keeper Hagan of Ludlow street jail, he escaped, about twenty minutes before 7 P. M. In a state of extreme excitement, Dunham made the announcement to Capt. Mount, at Fifty-ninth street Police Station, at 7 P. M. An alarm was at once sent to the Central Office, and an immediate search of Tweed's house was proceeded with.

On the arrival of the Inspector and Capt. Mount at Tweed's house, they found it brilliantly lighted, a most unusual thing, as if inviting inspection. In his account of the occurrence, Dunham tells the following story:

"At one o'clock, Mr. Tweed and son, Wm. M. Jr., myself and Ed. Hagan, a keeper in the jail, started for a drive. We drove to Kingsbridge Road, and thence through the Boulevard to Central Park. We stepped out of the carriage when on the Western side of the Park, and walked for about fifteen minutes. Entering the carriage, we then drove to Mr. Tweed's house, where he sat down in the front parlor. A few minutes afterwards, Mr. Tweed said he would go up stairs and see his wife for a moment. As he went out of the room, Hagan went into the hall and entered a room to wash his hands. About five minutes afterwards, looking at my watch, I told his son William it was time to go, and that he had better call his father. He went upstairs and returned in a few minutes, saying his father was not there. Hagan went upstairs at once, and I went to the front door and looked up and down the street, and into the area. Our carriage was where we had left it. Re-entering the house, I saw Mrs. Tweed standing at the head of the stairs. I asked her if Mr. Tweed was upstairs, and she said she had not seen him. Hagan and I then searched the house thoroughly. Satisfied that Tweed was not there, Hagan and I drove to Fifty-ninth street Police Station, where we asked the Sergeant to sound a general alarm, and I then went to the Central Office and told Inspector Dilke of the escape. It was about 6.20 o'clock when the escape was made."

Dunham said further that he had taken Tweed out to drive three times before, and that, about a week previously,

they and Justice Timothy J. Campbell visited the Claremont Hotel on 123d Street and 11th Avenue. The Warden said it was customary to allow prisoners committed on civil process to go out of jail occasionally, accompanied by officers. Hagan, the keeper who was with Tweed and Dunham, gave substantially the same evidence. A reward of $10,000 was then offered by Sheriff Conner for Tweed's capture.

Search was made in every direction, but no clue was found to the whereabouts of the missing man. Many theories were of course propounded by the newspapers and the Police authorities, as to the mode of the escape and the exact time at which it was made; no two of which were alike. The prevailing opinion, however, was that Dunham was in the secret; and that this was the opinion of his official superiors is shown from the fact that he was suspended a few days afterwards.

The Police President, Superintendent, and Inspector Thorne believed that Tweed had gone for hours before his escape was reported. The fact that no trace of him could be found seemed to corroborate this view. His appearance was too well-known to admit of his leaving the city by land without being detected. All outgoing vessels of every description were closely searched without any result. If he did escape by water he must have gone down the bay on some harbor craft which transferred him to his ship on the sea.

The public was naturally excited, and the newspaper reporters were most industrious in devising theories in explanation of the escape and concealment of a man whose appearance was so well-known. Never was the course of a comet more erratic or more mysterious. Even the bait of $10,000 reward failed in eliciting a clue. In the absence of trustworthy information, comedy and burlesque came into play. It was reported in the gravest manner, with the most touching minuteness, that the ex-Boss had been car

ried off in the closed wagon of a travelling menagerie, like one of the animals, and dropped some two or three hundred miles from the city. In the New York *Times* of December 24, he was reported to be in Havana. In the Augusta (Ga.) *Sentinel* of Tuesday, December 21, it was stated that Tweed was in Savannah on the previous Thursday and Friday, and that he afterwards went on board the ship, City of Dallas, for Nassau. Two detectives from New York had, it appears, arrived in Savannah on Saturday, but the "old man" was gone. Immediately after the escape it was rumored that Tweed had been seen in Brooklyn, that he had gone off in the British bark Lord Clarendon, which, it was alleged, had been purchased by a friend for the purpose of taking him away. Then the *Times* of January 17th, 1876, with every appearance of seriousness informed the public that "according to a local paper, Tweed was in North Carolina, the other day, with a body-guard of twelve fierce men, armed with knives and pistols. Now, he is reported by the Hamilton (Ontario) *Spectator* to be in Canada, clothed in coarse garments and wearing a grey wig and green goggles." An elaborate account was given by the *Spectator* of his movements from place to place in this disguise, showing the inventive genius of the reporter. A strict watch was kept in Canada, and along the border, and tours of investigation were made throughout the Dominion, by rail and sleigh, but without effect.

Under the heading "A Secret History," the New York *Times* of December 15, 1875, had caused considerable commotion in some quarters, by publishing the report that Tweed had not fled from this country at all, but was at hand, and proposed to offer a compromise of the claims against him, and divulge the secrets of the Tammany Ring. "He will give up," it said, "the names of all who shared in the plunder, and expose the men who worked with him and for him in the days of his power, and who turned upon

him so relentlessly after his downfall." The *Times* suspected that many persons in brownstone houses and many persons bursting with indignation of Tweed's villainy, would be implicated. "Could even" it asked, "Mr. Tilden afford to have Tweed's story told? He was Chairman of the State Democratic Committee in 1870 and '71, and knew perfectly well that enormous amounts of money were being used for election purposes. Where did he think it came from?"

Notwithstanding the activity of detectives, and the theories of the newspapers, as to Tweed's whereabouts, during the interval which elapsed between the escape from Ludlow street jail, and his departure from the country altogether, he was but a short distance away. The story of his wanderings came out afterwards, and in view of the frantic efforts made on all sides to secure his arrest, reads like a romance. For some days after his escape, he was hidden in New Jersey, not far from Weehawken Ferry. Thence he was taken to a farm-house, beyond the Palisades, where, having shaved off his whiskers, and put on a wig, he took the name of John Secor. Here he remained till March, chopping wood, and doing other light work about the house of his entertainer, who played the part of boss.

During this time, the civil suit for the recovery of the $6,000,000 stolen from the city was proceeding, the course of which, as reported in the morning papers, he followed with acute interest. He was not without strong and well-grounded hopes of getting a verdict. He had as his leading counsel David Dudley Field, one of the most eminent lawyers and advocates in the United States, and as presiding Judge Justice Westbrooke, who was regarded by Tweed as favorable to him.

Wood chopping behind the Palisades, the ex-Boss and the man who kept him faithfully in hiding, despite the $10,000 reward he could have earned by his betrayal, Tweed watched the issue of events. He had still faith in his star;

the present eclipse was only temporary; there was still a strong sentiment among certain classes in his favor; and the only man who could make the law really a terror to him, and who was able to meet his advocate in Court, was, it was supposed, incapacitated by sickness. That man was Charles O'Conor.

This was the situation, when one morning Tweed saw it announced in the papers that O'Conor had appeared in Court. Had O'Conor come back from the grave, he would hardly have been more astonished. Tweed was not exactly a superstitious man, but this circumstance was so remarkable, that it would have struck a chill into the heart of even a stouter criminal. He felt that the game was up; that the avenger was on his track as surely as if a Higher Power than that of the lawyer had taken the case in hand. In the person of O'Conor, who he knew could not be tampered with or turned from the path of public duty by any threat or inducement, he instinctively perceived the embodiment of Justice, and of a sure and speedy retribution.

O'Conor did not appear in Court until the day after the defence had begun, and the case had taken that favorable turn which had raised the hopes of Tweed's counsel, Field. But the "favorable turn" of which O'Conor had read that very morning, in the newspapers, and which was one of the causes of his dragging his feeble frame into Court, Tweed felt would now soon be reversed. He resolved, therefore, to fly at once from the inevitable verdict. Throwing aside his ax, he stealthily removed to the hut of a fisherman, in sight of the Narrows, with a view of taking the earliest possible passage to Spain, or Spanish territory, there being, as he knew, no extradition treaty between Spain and the United States. Here he remained for over two months, without his whereabouts being discovered or even suspected. To the poor he had always been friendly, and among them he had always found a friend; and now, when deserted by

those whom his favors had enriched, a fugitive with a price upon his head, he was not deceived in placing his liberty in the keeping and at the mercy of an humble fisherman.

On May 29, 1876, he was taken on board the Frank Atwood, a schooner engaged in the fruit trade, and plying mainly between New York and the West Indies. The Frank Atwood was cleared at the Custom House on the 27th of that month, and was generally supposed to have gone to the lower bay, where she was kept in waiting for Tweed, who was conveyed to her in the fishing-boat of his host of the previous two months. In this vessel he sailed to Florida, where he was joined by a man calling himself Hunt, who was said to have been his New Orleans son-in-law, Maginnis. After spending some time in Florida, he and Hunt sailed in a fishing smack for Santiago de Cuba. But the fisherman, having some doubts about the character of his passengers, landed them by night on a rock about ten miles from that port. Next morning they sighted a Cuban fisherman, who rescued them, and who took them to the city. On their passports being demanded and produced, and being found not to bear the visé of the Consul of St. Augustine, Florida, they were promptly arrested and imprisoned. They appealed to the American Consul, and were released after nearly two months of confinement; after which they hurried on board the Spanish brig Carmen, and took passage for Vigo, in Spain. This was on July 27, 1876. Meanwhile, Tweed's identity had been discovered, but when search was made the brig was gone. Hamilton Fish, the then Secretary of State, requested the Spanish authorities to arrest him on his arrival, and, having procured in London a picture of Tweed, the commandant of the province boarded the Carmen the moment she arrived in port, recognized and arrested him, and put him in the fortress prison. When arrested, Tweed was disguised as a common sailor, and was engaged in

scrubbing the deck. Soon after, the United States Steamer Franklin, which had been cruising in the Mediterranean, called at Vigo, in pursuance of orders received at Gibraltar, and took him to New York. The picture from which the Spanish commandant recognized Tweed was one of Nast's caricatures, taken from *Harper's Weekly*, in which the Boss was represented as beating a child, supposed to represent American justice. This led the Spanish authorities and Spanish reporters to imagine that Tweed had been concerned in kidnapping children. This idea, when it got abroad, caused no small amount of indignation among the people of Vigo against the culprit who, but for the precautions taken by the commandant for his safety, might have suffered a more severe chastisement from the hands of the excited populace than he was represented as inflicting upon the emblematic baby. Hence, in the first official announcement in the United States of the arrest of "Twid autelme" (which was believed to be a corruption of "Tweed, Guilielme, or William") it was stated that he had been arrested for kidnapping American children.

The process of his transfer from the prison to the Franklin was very imposing, so far as the Spanish authorities had anything to do with it. The High Sheriff with two aids, and an aid of the Commandant of the Body, had a guard of thirty soldiers. The procession marched down to the wharf, with great solemnity, at 10 o'clock, P. M. The lateness of the hour, the military escort, the official pomp with which the whole affair was conducted, gave a weird and impressive aspect to the scene. At the wharf, the procession was met by one of the Franklin's boats, into which Tweed was transferred, and by 10:30 o'clock he was in his berth on the ship. The quarters assigned him were furnished with every luxury, but were secured against the possibility of his escape or even opportunity of communication with persons outside. There was a sentry in

his room, day and night. At the door was an orderly, who was constantly on duty, ready to convey messages or render assistance. In addition to these guards, the officers of the ship were especially commissioned to look after the prisoner, and ordered not to lose sight of him for a moment while the vessel was in port. Besides this, the executive officer of the ship was also an active custodian. One of the staterooms connecting with Tweed's saloon was occupied by this officer, so that he might be on hand should anything happen. Every precaution was adopted not only against attempt at escape, but against possible attempt at suicide.

When Tweed boarded the ship he was received by the Commander of the Franklin, and at once escorted to his quarters. The narrator says:

He was a seedy-looking fellow, I assure you. He wore a soiled linen shirt without a collar, a black alpaca coat that sagged in the back and sides in a most unbecoming manner, a dirty brown vest, and a pair of checked trousers. He carried a small handbag, in which were some clothes he had purchased at Vigo. The baggage taken from him by the Spanish authorities, at the time of his capture, had been put under seal and so received by us. The bundles were stored away in a room in the ship, and the seals were not broken until we reached New York. Every half hour this room was visited by a Corporal, who reported to the Executive officer that the seals had not been disturbed. Tweed's capture did not seem to affect him seriously. In fact, he seemed in excellent spirits. He said he had no objection to return to New York. On reaching the quarters assigned him he looked himself over comically, and turning to the Captain, said: "You see I have been trying to brush myself up a little out of respect for the people I am going to see." He kept up his spirits during the entire voyage, never showed any trace of despondency, nor did I ever hear him utter a word of regret that he had been overtaken in his flight.

During the voyage to New York, which was long and rough, Tweed became quite a favorite with the officers. Said one of them:

"His behavior was that of a perfect gentleman. He was always glad to see any of us when we called upon him. Being, of course,

thoroughly posted in New York politics, he used to entertain us with funny stories of the way in which elections were sometimes carried in that city. His reminiscences of the Fourth Ward were particularly amusing. In his habits he was very abstemious. Though told that everything in the ship was at his disposal, he made no extra demands. He did not smoke, nor did he drink either wine or spirits, unless when unwell. Most of his time he spent in reading, and when urged by the Captain, on the Surgeon's recommendation, to take an airing on deck, he only availed himself of the privilege once. Perhaps he felt it humiliating to walk the deck in company with an officer on guard."

On November 19, 1876, the Franklin arrived in New York, and on November 23, Tweed was delivered to the Sheriff of the County and was consigned to his old quarters in Ludlow street jail, a structure which, as a member of the Board of Supervisors, he himself had helped to build.

On December 6, he wrote a most pitiful and pathetic letter to Charles O'Conor, offering to give up all his property, and for the first time to open his lips against his friends, and testify to all he knew of the Ring frauds, on condition of being released. He wrote:

I regret to say that my means have become utterly inadequate. I would not make this offer, if I had not some assurance, through unpublished statements, that the vindication of principle and the prospect of purifying the public service are objects you have in view, as being more desirable than the receiving of money. I am an old man, greatly broken down in health, cast down in spirit, and can no longer bear my burden. To mitigate the prospect of a hopeless imprisonment, which must speedily terminate my life, I should, it seems to me, make any sacrifice or effort. Viewing the fact of my return to the wards of this prison, realizing the events in the City and in the State, which I am brought here to confront, it will not, I hope, seem to be an insincerity in me to say, I am indeed overwhelmed; that, all further resistance being hopeless, I have none now to make, and only seek the shortest and most efficient manner in which I can yield an unqualified surrender.

The letter was sent by O'Conor to Attorney-General Fairchild, but had no effect towards procuring Tweed's release. It was the general impression at the time that O'Conor was disposed to favor the release, upon the conditions offered, and it is significant that, finding no action

taken by the Attorney-General on the letter, he immediately after severed his connection with the Tweed suits altogether. Possibly O'Conor suspected that certain persons in official control and in State and National affairs were using Tweed's imprisonment as a pawn in the game of politics, wherein his confession inculpating several prominent men was supposed to play an effective part.

In the negotiations which followed, John D. Townsend acted as Tweed's counsel. Through him statements were prepared and submitted by Tweed to the Attorney-General in April, 1877, containing serious charges against certain politicians in town and country, and others high in office, which he proposed to verify by his own testimony, and by other means, on condition that he should be released. Though the document was kept a secret by Fairchild, to be returned to Tweed in case it was not used, a garbled abstract of it somehow found its way, as soon as written, into a New York paper. On an investigation which followed, Tweed was examined, and denied that he authorized anyone to publish the so-called "confession" or that he was in any way responsible for its appearance. "It contains," said he, "some facts, but the larger part of it is fictitious." In the confession submitted by Mr. Townsend, in the month of April, 1877, to the Attorney-General, on Tweed's behalf, the statements were of the most sweeping character.

After a delay of a month, during which Tweed's hopes rose and fell in an agony of suspense, the announcement by the Attorney-General that he did not intend to use the testimony upon which hung Tweed's last chance of liberty, was a crushing blow to him. After a lapse of more than four weeks' deliberation, the great legal functionary had discovered that the testimony of the prisoner and the property he offered to surrender were not an equivalent for his release. There was indignation as well as sorrow in the Tweed apartments in Ludlow street, when the news arrived.

Upon Tweed himself the blow fell like a stroke of fate, and he received it with the stolid air of a man who had lost the power of feeling. He seemed even to lack energy enough to feel angry. Not so his friends. They openly accused Fairchild of bad faith and foul play. He had received the confession under an agreement to release Tweed, in case it was shown to anyone but his professional colleagues, or made use of for any other purpose than the one originally intended. Fairchild, they said, had kept his promise in neither respect.

The failure of the negotiations with the Attorney-General had a marked effect on the health and spirits of Tweed. His hair rapidly became white; his eye lost the sparkle and brilliancy for which it was noted; he talked but seldom, grew listless, and seemed to become indifferent to the future.

Some desultory efforts were still made for his release. A petition, with that view, was got up and circulated throughout the City by Hugh J. Hastings, a Republican, and editor of the *Commercial Advertiser*. Then, after the Fall elections of 1877, the Tammany Aldermen took his case in hand, and recommended his release to Attorney-General Schoonmaker; but without effect. Albany was silent; the interference of the Aldermen was not even recognized. Meanwhile, Tweed had testified for the City in various suits, perhaps in the faint hope that it might in some way help his case. Finally, on the 26th of March, 1878, being brought into the Supreme Court on the suit of the assignees of the estate of one John L. Brown, he declined to give any more testimony until what he deemed a pledge had been fulfilled. Then he produced Comptroller Kelly's letter, saying that Attorney-General Fairchild had given his promise to release him. This, Mr. Fairchild flatly denied, at the same time accusing Kelly of collusion with Tweed and his counsel to get Tweed released. A few questions further were put to

him; but, gravely smiling, Tweed refused to answer, and left the room. He could boldly disregard contempt proceedings, inasmuch as he was already in prison. He got into his carriage and went back to jail. He never left it again alive.

A few days after, he was prostrated by a cold supposed to have been caught on this occasion, which rapidly developed what proved to be fatal symptoms of pneumonia, and, on the morning of April 12, 1878, he died.

Tweed's end was sad enough to have touched the heart of even the sternest enemy of corruption. There was no relative and very few friends at his bedside, when he breathed his last. His daughter, Mrs. Douglas, had left him an hour before, in order to get him some delicacies for which he had expressed a desire, and had not returned. His brother, who had been summoned as the approach of death became apparent, had not yet arrived. His son William had gone with his mother to Europe some weeks previously. His son Richard had been there several months, and his youngest and favorite daughter, Mrs. Maginnis, was then living in New Orleans. At the head of his bed stood Luke Grant, a colored servant of the jail, specially detailed to wait upon him by Warden A. Watson. He had been awake four nights. Near him stood Dr. Carnochan, the physician in attendance, and in various positions around the bed were Mr. Douglas, his son-in-law, Mr. Eggleston, who had been one of his counsel, Mr. S. Foster Dewey, his private secretary, Mrs. Fitzsimmons, the matron of the jail, and her daughter. The dying man, though conscious till a few minutes before his death, spoke little. Once, just after the matron's daughter had given him a drink of flaxseed tea, he said to her: "Mary, I have tried to do good to everybody, and if I have not, it was not my fault." Some minutes before he lost consciousness, Mr. Eggleston went to the head of the bed, when Tweed,

calling him by his first name, said faintly: "I hope Tilden and Fairchild are satisfied now." These were his last words. Almost immediately after, he became unconscious, and exactly at noon, while the clock of the neighboring Essex market was striking the hour, he died.

Under the regulation providing for such proceedings, in the case of a person dying in jail, Coroner Woltman held an inquest in the afternoon of the same day, when a verdict was returned, in accordance with the medical testimony, that deceased had died of pericarditis, complicated with pneumonia and disease of the kidneys.

On Wednesday morning, April 17, 1878, Tweed was buried in Greenwood Cemetery. A procession of eight carriages and a hearse started from the house of his son-in-law, Mr. Douglas, 65 East Seventy-seventh street. On its route through Madison avenue, Forty-seventh street, Fifth avenue, Fourteenth street and Broadway to Hamilton Ferry, there was no outward sign of mourning or even of interest anywhere. The procession barely even attracted attention. "If he had died in 1870," remarked Coroner Woltman, "Broadway would have been festooned with black, and every military and civil organization in the City would have followed him to Greenwood." At the entrance to the cemetery, the cortége was met by a delegation of Free Masons, to which Order Tweed had belonged. After the coffin had been lowered into the grave, the funeral service was read by the Rev. Dr. Price, the minister who had married him. That done, Past Master R. O. Penfield, of Palestine Lodge, F. and A. M., stepped to the head of the grave, book in hand and in full Masonic regalia. Requesting his brother Masons to form a circle round it, he read the Masonic ritual for the burial of the dead, in a loud, clear voice, broken only by the sobs of Mrs. Maginnis, Tweed's youngest daughter. With these simple ceremonials, in the presence only of his kinsfolk and a few old

friends, was laid in his last resting-place a man who, a few years before, had more than a monarch's power in the metropolis of the Western Hemisphere.

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WILLIAM M. EVARTS.

LETTER XLV.

How William M. Evarts Kept His Word—A Reminiscence of the Civil War—Graphic Description of the Attack of the Ram Merrimac on the Union Ship Cumberland—Making Good a Promise of Seventeen Years' Standing—A Characteristic Letter to Postmaster James—Favor Which the Republican Secretary of State Extended to an Humble Democrat.

My dear Dean:

The mention of William M. Evarts' name in my last letter recalls an incident which deserves recording. You in England know Mr. Evarts as our representative in the Alabama Claims arbitration, and afterwards as Secretary of State in the Cabinet of President Hayes. Mr. Evarts is a scholar, a wit, a great lawyer—the lawyer, in fact, who succeeded Charles O'Conor as leader of the New York Bar. Like Horace Greeley, he finds relaxation on his farm among the Vermont hills, and is an enthusiastic fancier of Jersey cattle.

As a practical farmer and grazier, however, Mr. Evarts is not much more of a success than was Horace Greeley in the same line. Some years ago Mr. Evarts had a party of friends from Washington and New York dining at his farm. To these guests he said, with a twinkle in his eye: "Gentlemen, will you try milk or champagne? On grounds of economy, I recommend champagne. Quart for quart, the milk costs considerably more!"

While having an exterior of apparent austerity, Mr. Evarts is really at heart a man of the most tender sensibilities. While I was chairman of the Board of School Trustees of the Seventh Ward of this City, in 1878, a man

named James Marlow came to me and requested my assistance to have him employed as a painter by the contractor who was then engaged by the Trustees to paint Grammar School No. 2, in Henry street.

Marlow had a wife and seven children to support. I told him to call at my house the following evening, and during my conversation with him there, he disclosed the fact that he was one of the survivors of the "Cumberland Crew," whose warship went down before the assault of the Confederate ram Merrimac, and in that connection he handed me a little printed book, bound handsomely in calf, wherein was given an account of the great demonstration or reception tendered to the survivors of the "Cumberland Crew," at the Academy of Music, in 1861.

The presiding officer of that patriot demonstration was William E. Dodge, and many of the most prominent men of the city participated in the ceremonies, or occupied seats on the platform. Amongst them was William M. Evarts, who made the principal speech of the occasion. Some of the surviving officers of the ill-fated warship were introduced and made short addresses. Toward the end Mr. Dodge stepped to the front of the platform and said: "Ladies and Gentlemen, I will now introduce one of the sailors of the gallant crew." This sailor, in the few short sentences which comprised his speech, took the audience by storm. His language was largely interspersed with nautical phrases and pungent remarks. As he finished, somebody in the audience asked: "What is that sailor's name?" The chairman answered: "James Marlow." The part of Marlow's speech that most pleased the audience was his brief description of the naval engagement, as follows:

The Captain of the Merrimac called out to the gallant Captain of our ship, when he was closing up to us: "Will you surrender?" Says our Captain: "Never will I surrender," at the same time firing a broadside at the Merrimac. But the balls were no more than if hailstones

fell on her. With that the Captain of the Merrimac run his infernal machine into the side of the Cumberland, digging a big hole in her. Then the Merrimac drew back a short distance, and says her Captain to our Captain: "Now, will you surrender?" Says our Captain: "Never will I surrender," and with that he again run his infernal machine into our side; and then I took a dead bead on him, and I don't think he is alive now.

Bearing in mind that William M. Evarts was, at the time of my interview with Marlow, U. S. Secretary of State, I took the book, saying to Marlow that I would return it later. I asked him if he thought Mr. Evarts would remember him, after the seventeen years which had elapsed since that demonstration. He shook his head and said he did not think so; "but," he added, "I remember, when I got through with my say, Mr. Evarts, who was the great orator of the evening, shook my hand warmly, and said that if he ever could do anything for me he would."

Next day, I went to the office of Mr. Evarts, in Wall street, to inquire when he would be in the City from Washington, and was informed that he was expected here in a few days, to argue an important motion in Court. My office was then in the Vanderbilt building, 132 Nassau street, and a few days thereafter, in looking out the window, I saw Mr. Evarts walking down towards Wall street, with his dilapidated hat tipped back on his head, and carrying a bundle of law papers in his hand. I gave him time to reach his office, and then went to see him, with Marlow's book in my possession. I sent in my card and was promptly admitted. After shaking hands, I said to him: "Mr. Evarts, I have come to draw your attention to a speech which you made in 1861." "Oh, indeed!" said he, "I hope it was a good one." "Yes," I replied, "a great one." Then I produced the little book and pointed to his speech. He glanced over it with deep interest, and after a time, said: "I remember that incident well, but what of it now?" I then turned over the pages and pointed to the sailor

Marlow's speech, requesting him to read it. When he had done so, he said, looking inquiringly at me, "I remember that incident also." I then explained Marlow's unfortunate position, and said that the old sailor asserts that you shook his hand upon that occasion, and promised that if he ever needed assistance, you would help him; and he and I now think that you are in a position, as Secretary of State, to put him and his helpless family beyond want by a few lines from your pen. He asked how? I suggested the Custom House or the Post-Office. Without another word, he took from his desk writing paper and addressed a letter to General Thomas L. James, then Postmaster of this City.

This letter was three pages in length, and while writing it, he referred occasionally to the little book. It was an admirable letter, and I deeply regret that I did not retain a copy of it, but I recollect that it contained the most patriotic sentiments. It recalled that period of the Civil War, and briefly described how the gallant conduct of the Cumberland Crew had evoked patriotic ardor for the Union cause, throughout the country, perhaps more than any other incident of that time, and how much the people were indebted to those who served them so nobly in that terrific encounter. He concluded his letter in a vein of dry humor, as follows:

> Mr. Marlow's claim now upon me specially is, that both he and I then made speeches on the same platform, and that I then promised him that if I could ever aid him I would. Will you now aid me to redeem that promise, by appointing him to some position in your Department, which he may be competent to fill?

Inside of ten days, Marlow was appointed to a position by General James, in one of the bureaux of the Post Office, and has from time to time been promoted for faithful and efficient services. It is significant to note the fact that Marlow was then a pronounced Democrat, but his politics were not inquired into.

LETTER XLVI.

BITTER CONTEST BETWEEN BOSS KELLY AND BOSS TILDEN —MARVELLOUS SUCCESS OF THE LATTER AS A POLITICAL MANIPULATOR—HOW HE PAVED HIS WAY TO A PRESIDENTIAL NOMINATION—ATTAINING THE PINNACLE OF A LIFE'S AMBITION ONLY TO BE CHEATED AT LAST—A VENGEFUL "WAR TO THE KNIFE" ON GOVERNOR LUCIUS ROBINSON—THE TAMMANY BOLT AND ITS DISASTROUS RESULTS—AMUSING INCIDENT AT A STATE CONVENTION—HOW A GUBERNATORIAL BOOM WAS BURST.

MY DEAR DEAN:

Going to out-of-town Conventions was always a source of gladness to New York politicians. Especially interesting and jovial was the attendance at the quadrennial National (or Presidential) Conventions; and notably so was the visit of the delegates to the Convention held at St. Louis in 1876. Samuel J. Tilden, having worked heart and soul, but without success, to again get the nomination for the Presidency for his friend Seymour, in 1872, thought it was time to "set up business for himself;" so he managed to influence the rural districts of this State to favor his nomination for Governor in 1874, when, enjoying the prestige of a champion reformer who had helped to "down" the Tammany Ring and impeach the corrupt Judiciary, he was triumphantly elected. Then his efforts were concentrated on securing for himself the nomination for the Presidency in 1876. This was no easy job; for the State of New York had had the Democratic nomination (Horatio Seymour) in 1868; and, in 1872, the nominee of the Liberal-Republicans, (who had been endorsed by the Democracy) was Horace Greeley, also of New York; and now

for Tilden, Governor of New York State, to start out on a still hunt for the Presidency was generally regarded as a little bit too much New York, and provoked some hostility. Especially was Tilden's ambition distasteful to John Kelly, who, as leader of Tammany Hall, began to "reach out," and whose desire to be consulted on political matters extended over "the whole boundless continent." Tilden, who maintained a private political bureau, and kept in correspondence with two or three chosen friends in every election district of the State, to whom he sent lithographic letters over his autograph, had, through his manipulation of the several districts, created "a demand" for his nomination for Governor, which Kelly did not like, but could not help; and Tilden also had "a barrel of money" to aid his indomitable energy and advance his efforts to carry off the Presidential prize.

When the New York State Convention was held to choose delegates to the Presidential Convention, Kelly again found himself euchred; for Tilden had, as stated, been quietly at work "creating sentiment" in the interior, and, when the delegates got together, Tilden was their choice for President, although the Tammany delegation said "nay" and made a determined opposition to the adoption of a resolution, offered in the Convention, that "the delegates from the State of New York to the St. Louis (Missouri) Convention be instructed to cast their votes as a unit for Samuel J. Tilden as the Democratic nominee for the Presidency."

Appreciating the opposition of Kelly, and doubtless feeling assured that that gentleman would use every effort to manifest his antagonism in and around the National Convention, Tilden at once proceeded to organize a delegation, to go to St. Louis, outside of Tammany Hall, which organization he was advised intended to make a big demonstration against him. And when the time for the

Presidential Convention approached, all the available resources of the Pennsylvania Railroad, as well as such accommodation on the New York Central Railroad as was not required for the Tammany delegation and their followers (nearly one thousand strong,) were secured to accommodate "the Friends of Tilden."

There was, of course, quite a time when these trains left New York and Jersey City en route to St. Louis. Tammany had its trains handsomely festooned, every Assembly district having its own sleeping car, on the outside of which was a muslin strip designating the number of the district; every car had its own caterer and an ample supply of provisions, et cetera (there was plenty of "et cetera" of all kinds); and as Tammany had determined to make a sensation en route, it took with its two passenger trains a band of music; while, with other accoutrements, every loyal Tammanyite also had "a knife up his sleeve;" for, while their delegates were compelled to acquiesce in the vote for Tilden in the Convention, the end and aim of this grand demonstration was to "damn him with faint praise," and in every way try to prevent his nomination.

The outside delegation, or "Friends of Tilden," was made up of independent clubs and representatives of anti-Tammany organizations. All wore Samuel J. Tilden badges on the lapels of their coats, and, being well provided with "creature comforts," departed from Jersey City, full of enthusiasm (not unmixed with whiskey,) determined to do their best to convince the delegates from other States at St. Louis that New York was earnest and sincere in her advocacy of Mr. Tilden and would give him, if nominated, her electoral vote.

When these four or five train-loads of New Yorkers reached their destination, the disembarking of the delegations created much stir in St. Louis, which was already well filled with representatives from the South and West; and

Kelly was not a little surprised, upon his arrival, to find that Tilden had extended his "influence" as far West as St. Louis. Banners with the inscription "New York's Choice for President, Sam'l J. Tilden," stared him in the face in all public places. A band of music was in waiting to meet the "Friends of Tilden" as soon as they left the Pennsylvania Railroad trains; and before the Tammany Hall representatives really knew "where they were at," a New York Tilden procession was eliciting cheers from the crowds of visitors from other States who thronged the sidewalks. A picked number of orators from New York State were among these "Friends of Tilden," and arrangements were soon made for meetings in various parts of the city, at which good speakers extolled the virtues and capabilities of "the Great Reformer." They were instructed not to indulge in antagonisms toward Tammany; their sole object, on the contrary, was to convince everybody that the Empire State was virtually solid for Tilden.

John Kelly was amazed to find how skilfully everything had been arranged to check his plans; and it was decided that Tammany Hall's delegation should make a parade the next day, but there was to be "no show of hands" until after scouting parties, selected to visit the headquarters of delegations from other States, should have reported the situation at Tammany's headquarters. And when these scouts did report that they had found "fireworks meetings" and considerable enthusiasm in almost every part of the City, with orators advocating Tilden's nomination, Kelly at once realized that "discretion was the better part of valor." The great political organizer had checkmated him again, and any open fight against a candidate backed up by an "instructed" vote from his own State, and so well liked in almost every State from which reports had been received, would only endanger the "regularity" of Tammany Hall in the City and County of New York. An

order was therefore given to "sheathe knives," and exhibit, not an enthusiastic, but a passive adherence to the prevailing sentiment.

The "Friends of Tilden" were, of course, rejoiced at the success which had crowned the efforts of their great leader to turn the tables on Tammany, but were politic enough to refrain from irritating exultations. Nevertheless they kept the Tilden ball rolling, on the ground that "eternal vigilance was the price of"—Tilden. And the outcome of the Convention, held in the hottest city of the United States, during a heated term of the hottest month of the year (June), was the triumphant nomination of Samuel J. Tilden, of New York, for President, and Thomas A. Hendricks, of Indiana, for Vice-President.

The result of the Presidential election in 1876 was an acrimonious dispute. Both parties claimed to have carried the States of Louisiana and Florida, and each charged fraud. But the Canvassing Boards of those States were in the hands of the Radicals, under "carpet-bag government," and of course declared the Republican Electors chosen, which gave Rutherford B. Hayes a majority of one vote (Hayes having 185 Electoral votes and Tilden 184), and the certificates of these results, signed by the Governors of Louisiana and Florida, were forwarded to Washington. It was inevitable that this condition of affairs should produce a very excited state of public feeling—a feeling actually bordering on revolution; for the Democrats, through agents sent to investigate the action of the Boards of Canvassers in those States, had ample proof of the fraud sought to be perpetrated; and it required a constant application of "soothing syrup" on the part of the Democratic leaders to prevent a serious resistance to what they denounced as "a plot of the Radicals to steal the Presidency, for the purpose of covering up the rascalities of a rotten Administration." Finally, to avoid a further disturbance of business, already

much demoralized on account of the depression resulting from the panic of 1873, an Act was passed to refer all contested elections in any of the States to a Commission, composed of five Senators, five Representatives, and five Judges of the United States Supreme Court, the decision of this Commission to be final unless set aside by a concurrent vote of the two Houses of Congress. This Commission, refusing to go behind the returns, as certified to by the Governors of the States referred to, decided in each contested case, by a vote of eight to seven, in favor of the Republican Electors; and on the second day of March, 1877, Rutherford B. Hayes was declared duly elected President of the United States, having received a majority of one Electoral vote, as I have already shown. On March 5, 1877, Hayes was inaugurated, the country, for the sake of peace and business quietude, acquiescing in the decision of the Electoral Commission. But the mass of Republicans exhibited no enthusiasm over the outcome; on the contrary, the rank and file of the party were not backward in openly expressing their belief that Samuel J. Tilden was really entitled to the seat occupied by Hayes.

Although he had been thrice outgeneralled by Tilden —first when Tilden had secured the nomination for Governor, then the delegates to the St. Louis Convention, and finally the nomination for President—Tammany's chief was not subdued. One of the salient traits of his character was dogged perseverance and "never say die"; and, while he was in duty bound to yield an honest support to Tilden's candidacy, as the nominee of the great Democratic party, and did make every Tammany Hall man do his duty in that respect, it was reported, in confidential circles, that he did not wear crape on his left arm when the eight-to-seven Electoral Commission counted Tilden out, and Rutherford B. Hayes in, as President of the United States.

John Kelly still had "a bone to pick" with Tilden, and all the known friends of the latter had to suffer a proportionate share of his animosity. Among the most conspicuous of these friends was Governor Lucius Robinson, who had been recommended by Tilden as a proper candidate for Governor, and had been elected to that office in 1876.

Governor Robinson was not ignorant of Kelly's hostility to his friend Tilden, yet, as Kelly had through Tammany Hall extended to him an honest support, he had no personal grievance with the Tammany leader. But, from time to time, Kelly made exactions to which Robinson consented with reluctance, until he was at length crowded into a position where he had to take sides with Tilden in protecting certain friends whose decapitation was demanded by Kelly. From that period a coldness grew up between them, which increased with the lapse of time until, in 1879, Governor Robinson, upon charges which had been presented to him, removed Henry A. Gumbleton (a special pet of Mr. Kelly) from the office of County Clerk of New York County, and appointed Hubert O. Thompson to fill the vacancy. Then there was a terrible rumpus. Thompson had resigned from Tammany Hall, with Edward Cooper and others, in 1877, because, as was alleged, of too much arrogance on the part of Kelly, and was holding the position of Deputy Commissioner of Public Works under Commissioner Allan Campbell, who, while not in open revolt, was not warm in his feelings toward the Tammany Boss, being a strong personal friend of Governor Robinson. The Governor's removal of Kelly's protégé from office and the appointment in his place of a man who had resigned from Tammany Hall, was regarded by Tammany's chief as an open declaration of war. He determined that it should be "war to the knife and from the knife to the hilt," and everything was there-

Tammany delegation jumped to their feet, stood upon chairs, hurrahed to the top of their voices, while their "claqueurs" in the gallery shouted and screamed and flung their hats, creating a terrific uproar in the hall. Major Quincy, one of the Tammany delegates, who was acting as Reading Secretary and sitting beside the Chairman, at a request from one of his associates, who was vainly demanding "Question! question!" rose, stepped forward, and had got out the words "All in favor of the nomination—" when Chairman Jacobs demanded that he take his seat. "Let's have no nonsense here," said Jacobs. In the meantime, the uproar continued, and finding that pounding with his gavel did no good, and that all his efforts to obtain quiet in the Convention were for the time useless, the presiding officer sat down to let those engaged in the noisy demonstration howl themselves out. No sooner had he done this, however, than Major Quincy again jumped to his feet, and went through the form of putting the motion to nominate Jacobs for Governor "by acclamation." The Tammany delegates again gave vent to a vociferous "aye" assisted by their friends in the gallery, when Major Quincy coolly declared the motion carried, and that "Hon. John C. Jacobs was the unanimous nominee of the Convention for Governor." This was a proceeding not unfamiliar to the adherents of Tammany Hall at Ward meetings, but the gentlemen from other parts of the State were not accustomed to it; and, the rules of the Assembly having been adopted for the governance of the Convention, Jacobs was too able a parliamentarian, and too honest a man, to permit that body to be captured by a trick, even though the condition of affairs was seemingly designed for his personal advancement. Waiting until order was a little restored he, in a dignified manner, reproved the Reading Secretary for presuming to assume the rôle of presiding officer, and then promptly declined the nomination, adding

that "a motion which required unanimous consent could not be put in such school-boy fashion."

Foiled in this manœuvre, the Tammany delegates then clamored for a recess. On this motion the "ayes" and "nays" were demanded, and the "nays" preponderated at least four to one. Then, realizing that all their efforts to prevent the renomination of Governor Robinson were futile, Augustus Schell arose and stated that, it being quite apparent to the delegates from New York that their voice in the Convention was unheeded, "the delegates from Tammany Hall would withdraw," which they did, receiving a round of hisses and groans from the remaining delegates, as John Kelly and his cohorts made their exit from the hall. Boss McLaughlin, of Brooklyn—who, with the entire delegation from that city, was seated almost immediately in front of the presiding officer, and who, being a warm friend of Governor Robinson, looked with contempt upon the endeavor of the Tammany Spider to induce his Brooklyn Fly to "walk into its parlor,"—made a motion that, inasmuch as the delegation from Tammany Hall had voluntarily vacated their seats in the Convention, the New York delegation from Irving Hall, which, for the sake of harmony, had refrained from insisting upon their claims, be invited to fill the vacancies as the regularly constituted delegates to the Convention. This motion eliciting much applause and being carried, the business in hand was proceeded with in regular order, resulting in the nomination of Lucius Robinson for Governor, and Clarkson N. Potter for Lieutenant-Governor, as well as other State officers; and the Convention adjourned as if nothing unusual had happened.

The disgruntled Tammany delegates then held a caucus at their hotel headquarters, at which it was determined to hire another hall (the Shakespeare), hold another Convention, and nominate Boss John Kelly for Governor,

This decision was fully carried out. The hall was secured; a Rump Convention was organized; a list of delegates was made out to represent all the counties of the State (but three-quarters of these delegates resided in New York City); and an appeal to the Democracy of the State having been hastily prepared, John Kelly, of New York City, was nominated for Governor, and Clarkson N. Potter, the nominee of the Regular Convention, was nominated for Lieutenant Governor, and all the other State nominees of the Regular Convention were also endorsed. Then the Rump assemblage adjourned *sine die.*

Thus Boss Kelly had adopted a desperate method to revenge himself on one of his antagonists; for, as he stated in accepting the nomination, he had no hope of an election, but he would make certain the defeat of Lucius Robinson. He polled over 70,000 votes—enough to enable Alonzo B. Cornell, the Republican nominee for Governor, to secure nearly 40,000 majority over Mr. Robinson; and the demoralization this performance created in the party lost to the Democracy the Lieutenant-Governor, as well as the Legislature, and lost consequently a Democratic United States Senator to be elected by the Legislature of 1880 in place of Senator Francis Kernan. The other results of this action on the part of Mr. Kelly I shall have to speak of in another letter, and will close this epistle by relating a somewhat amusing episode which occurred during the holding of the Syracuse Convention.

Tammany's avowal of its willingness to accept "anybody to beat Robinson" had had the effect of unearthing candidates from every section of the State. The hotels were full of caucuses, and "booms" in plenty were started. Among those whose names came to the front was General Nixon, of Erie county. Some of his enthusiastic friends —no doubt, without his knowledge or consent—were seized with the idea that if they made a stir in his behalf, they

might get Tammany's support (this was on the evening previous to Kelly's secession), and perhaps the Governorship lightning might strike their favorite. So, after discussing the possibilities during the course of a few rounds at the bar of their hotel—and with each round the number of Gen. Nixon's enthusiasts rapidly increased—a gentleman who had been a silent listener to the boomers, but an always ready participant in the "inspiration" of the occasion, ventured the suggestion that a hundred-and-fifty dollars would secure a good band for an hour or two, and if they would raise the money and send somebody with him, he would guarantee to have the band and one of the best local orators, all cocked and primed to start a boom for Nixon, within an hour. Three of the original Nixon boomers volunteered to put up fifty dollars each, and after another "round," with cheers for their proposed nominee, one of the three started off with the proposer of the band idea, in order to carry out his suggestion.

It so happened that the band they started to secure was that night having a rehearsal at its headquarters near the birthplace of the "boom"; a bargain was quickly struck, and in less than half an hour the band was at the door, and the Syracuse Demosthenes, having joined in a "hurrah" for General Nixon and "taken something," was ready for business. So the band struck up a tune, a crowd gathered around the hotel, and the soberest of the three friends of General Nixon, taking a chair on which to stand, stated to those assembled that this was the inauguration of a movement in favor of General Nixon, of Erie, for Governor, and he would have the pleasure of introducing an eloquent gentleman who would state to them how capable a man the General was, etc., etc.. And so the wind-mill began to move.

Just about this time, along came Colonel James J. Mooney, Ambrose H. Purdy, and two or three other well-

known Westchester County gentlemen, who had returned from a fruitless pacificatory mission to Tammany headquarters. Hearing the boom in operation, Mr. Purdy inquired as to particulars; and upon ascertaining that scarcely any one seemed to know who Gen. Nixon was, Col. Mooney, calling his friends aside, said:

"Let's have some fun! You, Purdy, must personate Gen. Nixon. Go with our friends to the Eagle Hotel, and leave the rest to me. Only when I get there with the band, I want you, Purdy, to be ready to make a speech as Gen. Nixon, of Erie."

Purdy, who was full of fun himself, and who at a moment's notice could talk for an hour on any subject, jumped at the proposition, and with his Westchester friends started for the Eagle Hotel, only an eighth of a mile distant. Then Col. Mooney, who had a voice strong enough to be heard several blocks, exclaimed: "I am sorry to interrupt your speech, sir; but I have just been advised that Gen. Nixon is at the Eagle Hotel, and, having been informed of this demonstration in his behalf, he would be much pleased to have the opportunity of greeting his friends. I therefore move that this meeting adjourn, and that we proceed in procession to the Eagle Hotel, there to give General Nixon a serenade." The Colonel's motion, being put by him, was of course declared carried, and, taking the leader of the band by the arm he headed the procession for the Eagle Hotel, the band playing "See the Conquering Hero Comes."

When the band reached the hotel, the Colonel told the leader to play a nice serenade while he would go inside and get the General prepared to say a few words to his friends. Finding Purdy in the café, just in the midst of story-telling —in which he was an adept—Mooney hustled him to the balcony of the hotel, and, motioning to the leader of the band "to cease his dulcet strains" for a few moments,

piloted Mr. Purdy to the front, saying: "General, I shall now have the pleasure of introducing you to the gentlemen, who, before to-morrow's sun goes down, will have secured for you the high honor of a nomination for Governor of the Empire State. Gentlemen, I propose three cheers for Gen. Nixon, our next Governor!" The cheers were given, of course, followed by a bar or two of music by the band; then Mr. Purdy squared himself for a good talk, and had just about got through with his "regrets at the short notice he had of their coming, the unexpected honor, his high appreciation," and all that sort of thing, when a half dozen of Tammany men (whom Mooney and Purdy had left only a half hour previously) hove in sight, being attracted to the gathering by the sound of Mooney's familiar stentorian voice. Listening for a moment or two to Purdy's harangue, to catch the drift of his remarks, one of the Tammany men exclaimed: "Hullo, Ollagawalla, what deviltry are you and Purdy up to now? Come off your perch, and bring Nixon-Purdy down to have a drink!"

The other Tammany men joined in a "Ha! Ha!" which upset Purdy, for he could hardly restrain a laugh himself; and the leader of the band, now realizing that the whole thing was a sell, gave a toot on his cornet, the band moved away, the crowd scattered in good humor—and that was the end of the boom for Gen. Nixon, of Erie.

It is needless for me to say that the story of the joke soon spread through the little City of Syracuse, and seemed to have a very wholesome effect upon "booms" generally; for, the next day, all such nonsense was dropped, and the delegates got down to serious business, with the consequences which I have already endeavored to explain.

One of the results of this Syracuse revolt was the resignation of ex-Governor Hoffman and other prominent gentlemen from Tammany Hall. But, notwithstanding the defeat of his friend Robinson, Tilden's heart was saved

from too much depression at this particular time by the fact that a pig-iron speculation into which he and Senator Barnum, of Connecticut, had entered, and into which they had bought at $14 a ton, and sold out at $24, brought him a consoling profit.

LETTER XLVII.

SEQUEL TO THE TAMMANY BOLT—KELLY RUNS A STATE CONVENTION ALL HIS OWN—NEW YORK GLADIATORIAL FIGHT TRANSFERRED TO A CINCINNATI ARENA—TILDEN'S VICTORY OVER KELLY AND KELLY'S TRIUMPH OVER TILDEN—BOTH DISTURBERS HORS DE COMBAT AND EVERYBODY HAPPY—REPUBLICAN NATIONAL CONVENTION AND BOSS CONKLING—SOLIDITY OF THE STALWART FORCES—TURNING DEFEAT INTO GENERAL VICTORY—A "KNOCK OUT" WHICH BRINGS THE WINNER (GARFIELD) TO THE FEET OF GRANT'S CHAMPION.

MY DEAR DEAN:

No organization, save one that could boast of such ancient prestige and formidable strength as Tammany, would have survived the consequences of the disaster which Kelly, in his fight against Tilden and Tilden's friend, Gov. Robinson, had entailed upon the Democratic party of this City and State, in the campaign of the year 1879. The Democracy was routed, "horse, foot and dragoons," at the election which followed the "bolt;" but Kelly had received, as I have stated, over 70,000 votes in the State, including about 40,000 of the supporters of Tammany Hall, who had proved loyal to him; and, being backed by so large a proportion of the organization, Kelly determined, like Grant after the first day's disastrous results in the "Battle of the Wilderness," to "fight it out on that line if it took all Summer." In this determination he was sustained by all who had aided him in his contest against Tilden and Tilden's supporters throughout the State.

When the call was issued by the Democratic National Committee for the assembling of a National Convention at Cincinnati, in the month of June, 1880, a Democratic State

Convention was called at Rochester, to select delegates to represent the State of New York in that Convention. Having voluntarily put themselves outside of the "regular" organization of the State, by the course pursued after the State Convention of the preceding year, it was determined by Kelly and his friends to hold a State Convention of their own; and they selected for this purpose the same City and the same day specified in the call of the Regular Democratic State Committee—although, of course, they did not meet in the same hall; so the occasion was not characterized by a reminder of the "Kilkenny cats."

There was throughout the State a growing anti-Tilden sentiment, and the feeling would have assumed vastly greater proportions, had it not been for the fact that open anti-Tildenism would have been construed as pro-Kellyism; and the shape which Kelly's aggressiveness had assumed was one which the mass of Democrats, loyal to party usages, felt that they must condemn. Tilden was in some respects a good political manager, but his methods had been peculiarly selfish, and while he was a good money-maker, a shrewd and sharp manipulator of railroad stocks, the interests of the Democratic party did not seem to have been benefited through his management. When elected Governor of this State in 1874, a Democratic majority of 50,397 votes was recorded in his favor; in 1875, the Democratic majority in the State fell to 14,810; in 1876, the year of his candidacy for President, with a candidate against him comparatively unknown in this State, (Rutherford B. Hayes) his majority was only 26,668; the next year, 1877, the Democratic majority was only 11,264; in 1878, the Republicans swamped the Democrats, getting a majority of 34,661; and in 1879, through Tilden's determination to renominate Governor Robinson, (which determination was made more intense through his conflict with Kelly) the Republican nominee for Governor, Mr. Cornell,

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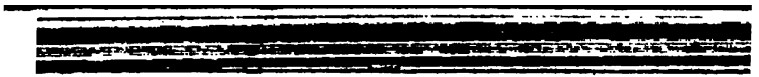
SAMUEL J. TILDEN.



was elected by 42,777 votes. So it was plainly evident that Tilden (whom many old-time Democrats condemned for what they called "his craven submission to the Republican steal," in 1876) was not a man to excite enthusiasm and had none of the magnetism required to rally around his standard the constantly increasing army of young voters in the State — the number of young men annually reaching the voting age being estimated between forty and fifty thousand.

It was well-known that there would be quite a number of anti-Tilden delegates in the Rochester State Convention, (and I may here state that John C. Jacobs, of Brooklyn, was also the presiding officer of this State Convention); and it was perhaps the hope that there might be another bolt, and thus an accession to his camp, that induced John Kelly to select the same City for holding his "pow-wow." But it is said that lightning never strikes twice in the same place; and there was no bolt, although in what was presumed to be a test vote in the Regular Convention, the anti-Tildenites were found to number eighty; and when the delegates to the Cincinnati Convention were chosen, in the Regular Convention, it was known that at least ten of the seventy chosen were anti-Tilden; but as the "unit" rule and cast-iron resolutions were adopted by the Convention, had there been three times as many anti-Tildenites among the delegates, they would not have counted. One resolution read as follows:

Resolved, That, in case any attempt should be made to dismember or divide the delegation by contesting the seats of a portion of the delegates; and any of the delegates appointed by this Convention shall countenance such attempt by assuming to act separately from the majority of the delegation appointed by this Convention, or to enter the National Convention separately from such majority, or should fail to co-operate with such majority, the seats of such delegates shall be deemed to be vacated.

Shortly after convening, the Kelly (anti-Tilden) Convention had adopted a resolution asking for a conference with

the Regular Convention "with a view to securing an united delegation to Cincinnati," and appointed a Committee of five to act in such conference. When this communication from the Kelly Convention was presented to the other assemblage, it was referred to the Committee on Resolutions, which reported as follows:

Resolved, That the Chairman of this Convention, be requested to reply to the communication signed by John B. Haskin and others, and to assure him that this Convention reciprocates every expression of a desire for the union of the Democratic party of this State, and are persuaded that the deliberative wisdom of the Naticnal Convention will result in such action as will secure the triumph of the Democratic party in the State of New York at the ensuing Presidential election.

But when this resolution was adopted and a Committee sent to deliver it to the Kelly Convention (at which David Dudley Field acted as presiding officer,) it was found that, tired of waiting for, and not expecting, a favorable response to their request for a conference, the anti-Tildenites had proceeded with the regular business of their Convention, and had adjourned *sine die*. The Regular Convention, having already virtually concluded its business before making any response to the pacificatory resolution, then also adjourned *sine die*.

When the proceedings at the National Democratic Convention, held at Cincinnati, on June 22, 1880, opened, the Democratic rupture in New York State still existed, and while seats in the Convention were accorded by the National Committee to the delegates of the Regular State Convention, when the clerk's roll-call of delegates had reached "New York," credentials from the Kelly or Rump Convention were presented, and duly referred to a Committee on Credentials. In this Committee, after a courteous hearing during a recess of the Convention, a motion to award seats in that body to the regular or sitting members, received every vote except one—a member who was in favor of a division of the delegates, and who stated he would present

a minority report. Then, on motion of Abram S. Hewitt, it was:

"*Resolved*, That the Kelly delegation from New York be given seats in the hall, in the rear of the body of the Convention, with the condition that they be debarred from any participation in the preliminary proceedings."

The minority of the Committee on Credentials reported in favor of giving to the New York delegates from the Regular Convention fifty votes and to the delegates from the Kelly Convention twenty votes.

Both reports being presented, the Convention assigned twenty minutes to the sitting delegates, and forty minutes to the contestants, for debate, when Judge Amasa J. Parker, Judge Westbrook, and Gov. Hubbard, of Texas, spoke in favor of the minority, and Col. John R. Fellows and Rufus W. Peckham advocated the majority report. The vote was "ayes" 205½, "nays" 477. The question on the adoption of the majority report was then carried by a viva voce vote, amid much cheering from the large assemblage.

Permanent organization being duly completed, Judge Hoadley of Ohio, temporary Chairman, gave place to Gov. Stevenson, of Kentucky, as permanent Chairman, and soon the Convention was declared in order to receive nominations for the office of President of the United States. After the formal presentation of names of candidates, a ballot was had with the following result: Gen. Hancock, of Pennsylvania, 171 votes; Thomas Bayard, of Delaware, 153½; Payne, of Ohio, 81; Ex-Senator Thurman, of Ohio, 68½; Judge Field, of California, 65; Morrison, of Illinois, 62; Thomas A. Hendricks, of Indiana, 50½; S. J. Tilden, of New York, 38; Gen. Ewing, of Ohio, 10; Horatio Seymour, of New York, 8; Samuel J. Randall, of Pennsylvania, 6; with complimentary votes for several other gentlemen.

In explanation of this vote, it should be stated that, it

having been asserted, at a caucus of the New York delegation, by Daniel Manning, then Tilden's right hand man, that Tilden was not a candidate, and it having been intimated by William C. Whitney, another right bower of Tilden, that the Governor would be pleased if his friends would support Payne, of Ohio, on motion of Whitney, it was then resolved that the New York delegates cast their seventy votes on the first ballot for that gentleman. This, being translated, meant: "Cast your votes for Payne till we see how the cat jumps; and then—why, wait till we hear from Tilden!" It was plain to everyone that all this was another of the sly dodges of Tilden—not an avowed candidate, but wanting the nomination, if there was a ghost of a chance to get it!

After the announcement of the first balloting, the Convention by unanimous vote took a recess until the next morning. In the meantime, the news of the proceedings of the Convention had reached New York, and on the *Herald* bulletin appeared the following:

"The Tammany men have been allowed seats on the floor of the Convention, but will have no voice in the proceedings."

"Allowed to sit on the floor, is it?" commented a son of Erin, as he gazed on the poster. "Why didn't they give them chairs to sit on? That's a divil of a way to use the Boss."

Speculation was rife as to what was going to be the next move—whether Kelly and his adherents would return to New York in a huff, before the adjournment of the Convention, or keep still and ambuscade its nominee, or what? "What have they got to stay there for?" remarked an ardent friend of Tilden, discussing the situation in New York. "They have been snubbed, terribly snubbed by the Convention, as they deserved to be. Tilden has played a sharp game, and betting is three to one that he'll receive the nomination. He is assured already of 182½ votes and

only wants 63½ to give him the required two-thirds vote of the Convention." And equally confident were most of Tilden's friends in the metropolis.

During the evening recess of the Convention, the regular delegates from New York State had another caucus. Those who had been secretly engineering Tilden's campaign had doubtless communicated to him the result of the ballot that had been taken, as well as the generally unsatisfactory outlook. When the caucus assembled, a feeling of great uneasiness pervaded its members—at least thirty-four of whom were now more than satisfied that, however much they might respect "the Governor," it would be an act of madness for him to force himself upon an unwilling Convention. Under the "unit rule," however, these thirty-four delegates were entirely at the mercy of the majority (the other thirty-six). But the anxiety of the caucus was soon relieved; for a letter from Tilden, which had been held in escrow by one of his most intimate friends, Chas. F. McLean (now a Supreme Court Judge) was produced, dated several days previously, which, while thanking his friends throughout the State for their interest in his behalf, requested that, "if his name were used in the Convention in connection with the nomination for President, it should be immediately withdrawn." To say that this was "glad tidings of great joy" to more than seven-eighths of the entire delegation would be no exaggeration, and a sense of intense relief was generally manifested. Upon reassembling, after a recess of ten minutes for general consultation, the following resolution of regret was unanimously adopted:

Resolved, That with a sense of profound gratitude for his great service to the country and to the Democratic party, and of unqualified admiration of his character and ambition, this delegation has received with deep regret the impressive declination by Governor Tilden to be a candidate for renomination and re-election to the Presidency of the United States.

Mr. Tilden, having now withdrawn in earnest, there was no longer any use for the name of Payne, of Ohio, whose name was also withdrawn, and Hon. Samuel J. Randall, of Pennsylvania, was then adopted as the choice of the New York delegation for President.

The news of Tilden's action spread like wild-fire through Cincinnati, and if the Tammany warriors had had any previous idea of "vamosing the ranche," now that the Boss had gained another negative victory in the withdrawal of Tilden from the field, they determined to stay in Cincinnati as long, at least, as their "fire water" held out. Many were the "scalp dances" enjoyed that night by New York's "unterrified"; and before the majority of the delegates to the Convention retired to their couches, the question of the nomination had been settled. Gen. Hancock had been voted for as a candidate in the Presidential Convention of 1868. Although one of the ablest fighters on the Union side during the Civil War, he was an especial favorite in the South because of his recognition, while in charge of the State of Louisiana, of the supremacy of civil over military law. The withdrawal of Tilden thus gave impetus to a Hancock boom, and it "grew by what it fed on."

Upon the assembling of the Convention next morning, the probable result was easily discernible in the general display of Hancock badges and medals. Among the peddlers on the side-walk leading to the Convention, no other emblems were in demand; and every one in the crowded hall was eager for the Chairman to be seated, and the opening prayer to be got through with, so that the delegates could get to work. The second balloting was ordered, and, while the delegates from New York and other States recorded their votes as agreed upon in their caucuses, by the time the alphabetical roll-call of the clerk had reached Pennsylvania—the State which had placed Gen. Hancock

in nomination—and announced its preference, enough votes had already been recorded for Hancock to secure his nomination. Then followed the usual stampede and changes in his favor, until it became the Chairman's duty to announce that "General Winfield Scott Hancock was the unanimous nominee of the Democracy, in National Convention assembled, for the office of President of the United States." It was well stated that "only the war of cataracts and the crash of worlds," combined, could give a suggestion of the wild enthusiasm displayed in the Convention hall when the nomination of Hancock was announced; in the midst of which the band played "Praise God from Whom All Blessings Flow," and the artist who had charge of the immense organ joined with magnificent effect in rolling and swelling the joyous choral. More than half an hour of incessant cheering, hand-shaking, waving of banners, and the use of every other possible method of demonstrating joy and gladness ensued before quiet was restored. Then followed complimentary speeches by representatives from almost every State. Mr. Breckenridge, of Kentucky, was just concluding a very telling and patriotic address when his eye caught a vision of the burly form of his old Congressional friend, John Kelly, who, with Amasa J. Parker, Augustus Schell, George C. Green and Amos North, was standing at the rear end of the aisle, waiting an opportunity to come forward; and, with the remark, "I yield the floor, Mr. Chairman, to Hon. John Kelly, of New York," the Kentucky orator took his seat, amid vociferous cheering. Kelly and his associates had been appointed by the anti-Tilden delegation to communicate to the Chairman their hearty acquiescence in the nomination of Gen. Hancock. This was very adroit and timely action for Tammany Hall, which had been declared from the highest possible political source, a National Convention, an

outside organization, doomed for a time to "wear sackcloth and ashes."

As Kelly and his associates slowly made their way along the crowded aisle up to the platform, the band struck up the still popular war melody of "We're Coming, Father Abraham, One Hundred Thousand Strong," and the whole audience, excepting the Regular New York delegation, rose, cheered, and waved hats, fans and handkerchiefs. As soon as they reached the platform the Chairman heartily greeted them, and introduced John Kelly to the assemblage, with the remark that "the National Convention had that day united the great Democracy of New York."

Kelly stood for a few minutes, perfectly calm, while the hall was in an uproar of good feeling, and then, in a clear, sonorous voice, said:

"Gentlemen of the Convention, your Chairman has told you that, by your action to-day, in nominating Gen. Hancock, you have united the Democracy of the State of New York. (Shouts of applause.) He has told you truly. While I and my brethren on the right (referring particularly to the Irving Hall delegation from New York City) have been fighting each other politically for the last five years, they will no doubt agree with what I am going to say—let past differences be banished from our midst. (Great applause.) I am not going to speak to you now of what has occurred since we came to the City of Cincinnati. I have nothing in the world to say against what has been the action of the Convention, in relation to the organization which I, in part, represent. Let all that pass away. I promise the Convention in my humble way, and with my poor services, to do all in my power, from this day forth until the day of election, to help elect the Democratic ticket. (Applause and three cheers for New York.) And now, let me repeat to my friends here on the right, from the State of New York (turning to them) let us once and for all take each other by the hand, and say this in common—that we have a nobler duty to perform than to be fighting each other politically in our own State. (Applause.) Let us unite; let us look on each other kindly and favorably; and when we act together, united as we must be, let me pledge to the Convention that there can be no question whatever as to the result. (Prolonged applause.)

Loud calls were then made for Col. John R. Fellows, of New York, orator-in-chief of the Irving Hall or Tilden

organization. He proposed to speak from his seat, as he felt too ill to make a platform speech; but the Convention loudly cried out "Platform! platform!" and he was compelled to obey the persistent request. As he approached the chairman's desk, he encountered Kelly, and they grasped each other's hands, the entire assemblage (this time including all the Tilden delegation from New York State) rising to give expression to its gratification, by three ringing cheers and a rousing "tiger." Col. Fellows, after returning thanks, and apologizing for his almost worn-out condition, and the huskiness of his voice, said:

"Gentlemen of the United States, your action to-day has been superb. You have wiped out all differences existing in the ranks of the Democratic party in our State. You have healed all dissensions. We may march under the division banners of different Generals, but we shall march to one battle-field to fight one common foe." (Great applause.) "Henceforth that man is our friend who best assists in carrying that banner (pointing to a Hancock flag, which had just been displayed back of the Chairman's seat) to victory; he is our enemy, and only he, who lags in his duty in that respect. (Enthusiastic cheering.) But you have done more, aye, infinitely more; you have strangled by your strong hands to-day the giant of discord and strife which has dominated our great country. The North and the South now clasp hands in no unmeaning ceremony, and Hancock shall hear again the roar of the Hampton gun (Gen. Wade Hampton, of South Carolina, a leading Southern General during the Civil War, had just been addressing the Convention) in friendly strife. (Loud applause.) All over this land, by the success of our ticket, will come the return of fraternal concord, of brotherly love, of the olden glow. You have restored us to a common Union. Gentlemen, upon the stricken and impoverished States of the South, upon the graves where our dead repose and in the homes where the living mourn, there shall fall a benediction as though it were descended direct from God—the benediction of a just, perpetual, enduring peace. (Applause.) My tired voice admonishes me that I must talk no more to-day. I shall only add to what I have said that New York has but one response to make to Democratic nominations—she gives Democratic majorities. (Cheers.) With Hancock as our banner-bearer we shall march through that State as though we were sweeping it with a tornado!"

Again the immense assemblage arose, and joined in thre

hearty cheers for the State of New York, in the midst of which demonstration, Carter Harrison, of Chicago, Ill., led John Kelly to the Chairman's desk, and there Kelly and Fellows publicly proclaimed their friendship, by shaking hands warmly, the spectators continuing their cheering with all their might, while the band struck up "Auld Lang Syne," and the audience joined in singing the appropriate air.

After this second grand demonstration of the day was got through with, ex-Governor Wm. H. English, of Indiana, was nominated by acclamation for the Vice-Presidency, amid general rejoicing; and in less than three hours after the adjournment of the Convention, at three o'clock, P.M., more than three-quarters of the delegates to the Convention had settled their hotel bills and were en route to their respective homes.

The delegates in the special political trains from Cincinnati reached New York—rival trains they started out, but "two hearts beat as one" when they returned—in the best of spirits (that is to say, as good as could be got at five dollars a gallon), and the enthusiasm for Hancock was immense, surpassing even that which had been shown in New York for Greeley, the day after his nomination for President. In the exuberance of their joy over the reconciliation which had taken place and which had made them once more feel like members of the Democratic party, and no longer "wandering Willies," the Tammany braves had secured, in Cincinnati, a "real live Indian," and brought him to New York. He was a tall, muscular fellow, about six feet three inches in height, and built in proportion (another Thomas J. Brennan, in size), their intention being to use him as a frontispiece to processions during the election campaign. This Indian had proven a sort of "white elephant" to the Tammany delegates, on their way from Cincinnati, as he nearly cleaned out the restaurant at every stopping-place en

route, and as he was too tall, or rather too long, to sleep in the "five foot ten" berths of the sleeping cars, he had to be contented with the "privileges of the floor," as had his "big Chief," Kelly, at the Cincinnati Convention.

The result of this Convention ended Tilden's political career. But he was not the only gentleman with "a bee in his bonnet," who partook of "knock-out drops" in the Presidential canvass of 1880. Two very prominent statesmen on the Republican side also came to grief at about the same time. The Republican National Convention was held—or, rather, began its sessions—at Chicago, on the second day of June. Gen. Ulysses S. Grant, who had served two terms as President, was, unfortunately for himself, surrounded by as corrupt a set of political scoundrels as ever walked in shoe leather. Yearning to be kept in office, these vultures believed they could best succeed in their desires by constantly pushing Gen. Grant to the front for a third term. James G. Blaine had checkmated their efforts in 1876, and brought about the nomination of Rutherford B. Hayes. Under the leadership of Roscoe Conkling and the "Old Guard," as he styled the army of Grant's office-holders whom he had at his back, a third Presidential term was demanded for the successful commander of the Union armies. Mr. Blaine was also an aspirant for the Presidency, as were Secretary John Sherman, Senators Edmunds and Washburn and Secretary Windom. Senator Conkling, of New York, a very able Congressman and adroit politician, vain as a peacock, a Czar in arrogance, and in his Bossing propensities "out-Heroding Herod," was the recognized Grant leader. Assuming to be commander-in-chief of the entire Republican party, he undertook to ride rough-shod over everybody in his eagerness and determination to get a renomination for Gen. Grant. It required four days, after the Republican assemblage had got together in Chicago, before matters were properly fixed to com

mence balloting, and then it required three days more, and thirty-seven ballots, before a conclusion was reached. There were 756 votes in this Convention, and, as a majority rule governed their proceedings, only 379 votes were necessary to secure a nomination. On the first ballot, Grant started off with 304 votes, Blaine with 284, and the remaining votes were divided between Sherman, Edmunds, Washburn and Windom. On the second ballot a delegate named W. A. Grier, from the Eleventh District of Pennsylvania, cast his vote for James A. Garfield, of Ohio, and, pleased with the round of applause which greeted his seeming audacity and independence, he was a solitary follower of Garfield for twelve successive ballotings. Then he quit, probably to "go and take something," or because he shrank from hazarding the proverbial "unlucky thirteen." For thirty-three ballotings Grant and Blaine held substantially the same number of votes with which they started off; on the thirty-fourth ballot Grant reached 309, while Blaine's vote receded five, being only 279.

Conkling was now jubilant, believing that the hour of triumph, for which he had been calmly waiting, had come at last. The close of the next (thirty-fifth) ballot showed another gain for Grant. He had now 312. But when Wisconsin, the last State on the roll, was called, she cast most of her vote for Garfield, following the example of Mr. Grier who had again on this ballot returned to "his first love." Just before the vote of Wisconsin was announced, Conkling, much fatigued from his arduous work during the Convention, reclined in his seat, his neck bandaged with a handkerchief, in a yawning condition, from which he was aroused for a moment by the cheers which came from the gallery at Garfield's unexpected gain; but, with a sneer, as though used to coquetry of that kind in a Convention, Conkling again let his head repose on his shoulder as if in restful mood. After the announcement of

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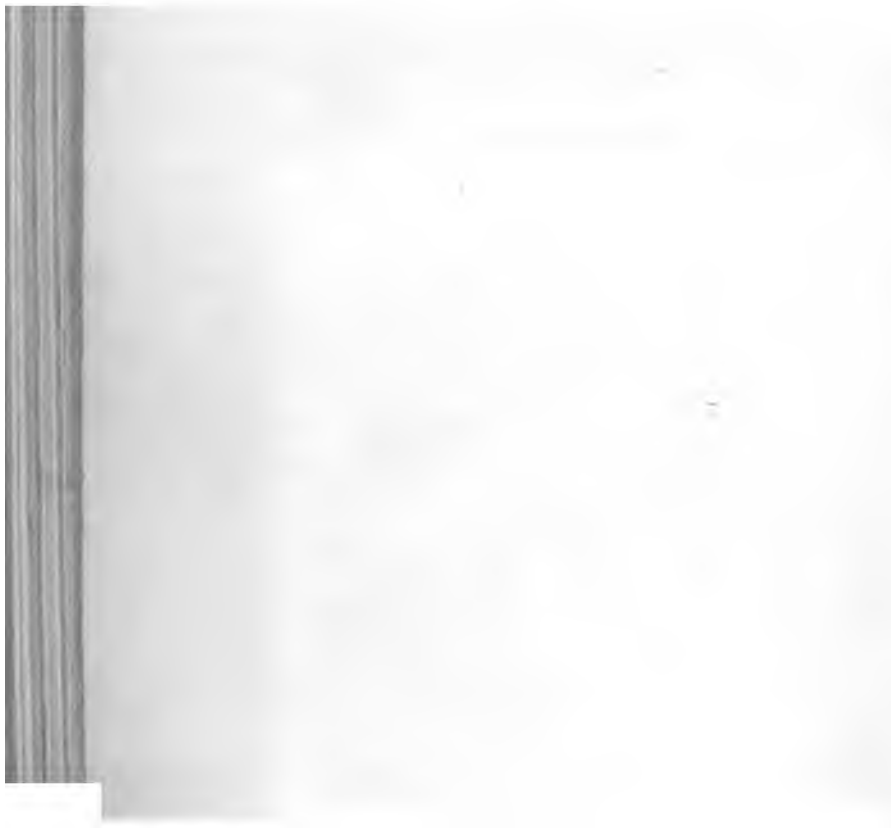
ROSCOE CONKLING.



this ballot, Garfield, for whom seventeen votes were declared, rose to a point of order. "My point of order," said he, in reply to the Chairman's inquiry into the purpose of his rising, "is that no State has a right to cast its vote for any person as a nominee without that person's consent. So I wish to say to those who have voted for me, that I refuse to consent to be a candidate for the nomination." "The gentleman has not stated a question of order," the Chairman, Senator Hoar, replied; "and no person having received the number of votes required for a choice, another ballot will be taken."

On the next (thirty-sixth) ballot, Indiana gave twenty-seven votes to Garfield, and at the announcement of the completed ballot, Garfield was found to have fifty votes.

Again Garfield got up, and protested against having votes cast for him without his consent. The Chair, however, directed the clerk to proceed with the next ballot. The crisis had how come. Word had been sent by Blaine to his friends to "nominate Garfield"; Washburne, Sherman and Windom joined the combination; and when the result of the thirty-seventh ballot was given, it was found that Grant had still 306 "solid men to the front," but Garfield had 399, Blaine 42, Windom 5 and Sherman 3.

This result took the Convention by storm, and among the friends of Blaine, Sherman, Edmunds, Washburne and Windom there was great rejoicing. They had played their *coup d'état* with success. Every one of them had won a a victory in knocking-out Conkling and Grant; while Conkling, though shockingly disappointed at not securing a victory for his favorite candidate, of which he was over-confident from the opening ballot, yet was so happy over Blaine's failure to carry off the prize, that he, too, joined in the general jubilee. The idea may also have entered his mind that, with both Grant and Blaine now in the dust, he himself might "bob up serenely" the next time. Be it

as it may, although defeated, he had a following of 306 Stalwarts, and he was too skilful a politician to lose the chance of scoring a point. So, when quiet enough was restored to resume business in the Convention, he addressed the Chairman, saying that, inasmuch as James A. Garfield, of Ohio, had received a majority of the votes cast by delegates in the Convention, he moved that his nomination be made unanimous, which motion was carried by a tumultuous *viva-voce* vote, and then, after nominating Chester A. Arthur, of New York, for Vice-President, the Convention adjourned *sine die*.

Thus Tilden and Grant, both of whom felt sure of carrying off the Presidential nomination—the former because having been cheated of his election in 1876, he believed the people would insist upon his being vindicated; and the latter because every office-holder of the Federal Government, under the inspiration of Conkling, had been planning and working for a third term for him from the time that he gave place in the White House to his successor, Hayes—were pushed aside, and two gentlemen, neither of whom had made a visible effort in that direction, had each carried off a prize.

You doubtless know the result of the election; how a majority of the Electoral votes were cast in favor of Garfield, and how, on July 2, 1881, or four months after his inauguration as President, he was assassinated by a fanatic named Guiteau—being the second Chief Executive of the United States who, within a period of sixteen years, was ruthlessly cut down in the noon of his usefulness. In their platform, the Democrats had declared in favor of "a tariff for revenue only," which was interpreted by the business men of the country (who had experienced nearly seven years of depression and disaster resulting from the panic of 1873) to mean "free trade," and consequently another long disturbance of commerce and traffic. Of two evils the

people chose what they thought was the lesser one, and surrendered the country once more to the tender mercies of the Republican party.

As an evidence of Conkling's acknowledged power in the Republican organization at the time referred to, although defeated in the realization of his hopes in the National Convention spoken of, and to show that he was still respected as the recognized champion of the Stalwart or Grant faction, Garfield, a delegate to the Convention and its choice for President, felt himself compelled to step over to Conkling's seat, hat in hand, and humbly request him to name one of his personal friends for Vice-President. Hence came Chester A. Arthur, the Convention's nominee for that position. And when Garfield visited New York City, on his tour as a candidate, he found it necessary to knock at the door of Boss Conkling, in the Fifth Avenue Hotel, and beg him to bring his friend Gen. Grant to Garfield's hotel, "some pleasant evening," and make their own terms.

LETTER XLVIII.

REMINISCENCE OF AN IMPORTANT POLITICAL EVENT—SLAVERY AND POLITICS IN ANTE-BELLUM TIMES—VINDICTIVENESS OF A PRESIDENTIAL BOSS—PLUCKY FIGHT FOR POPULAR SOVEREIGNTY—FATE OF SENATORS STEPHEN A. DOUGLAS AND DAVID C. BRODERICK—CONCENTRATED EFFORT OF AN ADMINISTRATION TO CRUSH JOHN B. HASKIN—TRIUMPH OF FREE SPEECH OVER PARTISANISM—THE WRONGS OF DANIEL E. SICKLES AND HOW HE AVENGED THEM.

MY DEAR DEAN:

The reference, in a recent letter, to ex-Governor Wm. H. English, of Indiana, as the Democratic Vice-Presidential candidate in the canvass of 1880, brings to my mind an important event in our political history, in which he took part. While a member of the House of Representatives, in 1853, English very actively co-operated with Senator Stephen A. Douglas, of Illinois, in the passage of a bill to permit the organization of the Territories of Kansas and Nebraska into States, a provision of which Bill repealed what was then known as the "Missouri Compromise" of 1850, under which Missouri, as a slave State, was admitted to the Union, the extension of slavery to the Territories named was prohibited, and as a compromise there was to be no interference with slavery in the then slave States. The real meaning of this measure was that the Territories would always remain Territories, and the Southern States, having a controlling vote in Congress, would remain masters of the situation.

At first, the action on the part of Douglas and English was bitterly denounced in the non-slave-holding States. The anti-slavery element in those States failed to recognize

the statesmanship of the measure, which afterwards formed the issue upon which the Democratic and Republican parties became arrayed against each other. The provision of the Kansas and Nebraska Bill, to which exception was taken in the non-slave-holding States, read as follows:

"The Missouri Compromise, being inconsistent with the principle of non-intervention by Congress with slavery in the States and Territories, as recognized by the Legislation of 1850, is hereby declared inoperative and void; it being the true intent and meaning of this Act, not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States."

By urging the doctrine of State rights, Douglas induced the Senators from the Southern States to vote for his bill, and it became a law. In furtherance of the object he had in view, that of popular sovereignty, Mr. English had secured the passage through the House of Representatives on the seventeenth day of February, 1857, of a bill, entitled "A Bill to Establish Popular Sovereignty in Kansas, and to Enable the People thereof to Protect Themselves Against Invasions and Frauds, and Constitute a Government for Themselves." But, when the Bill reached the Senate, by a vote of thirty (twenty-two of which came from the slave States and eight from the free States) to twenty (eighteen from the free States and two from slave States) it was defeated.

Then the pro-slavery element in Kansas, assisted by the influence of the Administration, managed to have a State Convention called at Lecompton, Kansas, at which a Constitution was adopted which could be construed to permi' slavery to be introduced into that State; and, in March 1858, the pro-slavery element in the United States Senat' succeeded in passing a bill through that body, by a vote thirty-three to twenty-five, for the admission of Kansas a State under the aforesaid Lecompton Constitution. Jan

Buchanan, President at that time, made this an Administration measure, and it received the votes of all Democrats in the Senate save two, David C. Broderick (an old New Yorker,) of California, and Stephen A. Douglas, of Illinois. Senator Crittenden, an old-line Whig, of Kentucky, endeavored to secure the passage of a substitute for this bill, providing that the Lecompton Constitution be submitted to the people of Kansas at once, and if approved, the President to admit Kansas as a State, by proclamation; if rejected, the people to call a Convention and frame a Constitution; the substitute making special provision against those frauds at election which, it was understood, had characterized the success of the delegates to the Convention that had been held at Lecompton, at which the alleged Constitution had been framed. Mr. Crittenden's substitute was lost by "yeas" twenty-four, "nays" thirty-four.

When the Senate Bill providing for the admission of Kansas reached the House of Representatives, Mr. Montgomery, of Pennsylvania, offered as a substitute the Bill which Mr. Crittenden had offered in the Senate. After considerable debate, the Crittenden-Montgomery substitute passed the House by a vote of one hundred and twenty to one hundred and twelve. Among the affirmative votes were included nineteen Democrats from the free States, who rebelled against the dictation of the President—who brought all the influence of his Administration to defeat the measure. Of these independent Democrats, one was from California, five from Illinois, three from Indiana (one of whom was English), two from New York, (one of whom was John B. Haskin), four from Ohio, and four from Pennsylvania. The remaining 101 affirmative votes consisted of Republicans and what were called Fillmore Americans.

These differences regarding the Kansas matter—the House having passed a substitute for the Senate bill—ne-

cessitated the appointment of Conference Committees. But when a motion to that effect was made in the House, Montgomery, of Pennsylvania, endeavored to resist it, and sought to induce the House to insist on its adherence to the Crittenden-Montgomery substitute, and when he called "the previous question," English, very much to the surprise of the House, moved to substitute for Montgomery's motion a resolution "that the House agrees to a Conference Committee, and that a Committee of three be appointed by the Speaker." This action on the part of English, the Speaker being in affiliation with the Administration side of the question, excited much comment. There was great excitement in the House; and when the "ayes" and "nays" on the motion to appoint a Conference Committee were called, it was found that the vote was a tie, each having 108. The Speaker then cast his vote in the affirmative, and English's motion was declared carried. A compromise bill was the result of the conference—a bill which pleased neither party, in fact, but which was agreed to by both Houses, passing the Senate by a vote of thirty to twenty-two, and enough changes were made through the influence of the Administration, in the House, to secure a bare majority for the Bill proposed by the Conference Committee. But John B. Haskin, of New York, stood firm with Stephen A. Douglas and David C. Broderick, in opposition to having another inch of free soil trod by a slave.

The resistance on the part of these three fearless Democrats to the pro-slavery edict of Buchanan had to be punished. When the National Democratic Convention assembled, in 1860, to select a nominee for President, and, after a severe conflict, Stephen A. Douglas was declared the nominee, the Southern delegates seceded, held a Convention at Louisville, Kentucky, nominated John C. Breckenridge, and thus rendered certain the election of Abraham Lincoln, the Republican nominee. The utter extinction

slavery was an incident of the Civil War, which soon followed the inauguration of Lincoln, and Senator Douglas died on the third day of June, 1861. Senator Broderick was, soon after, provoked to fight a duel with a Southern fire-eater, Judge Terry, in California, and was killed. And a very desperate effort was made by Buchanan to administer "knock-out drops" to Haskin, at the ensuing Fall election.

Ex-State Senator William Cauldwell, one of the few survivors of those who participated in the very exciting election for Congressman which followed a determination of Westchester county citizens to sustain a Representative who had manfully done his duty, recently described to me the campaign which ensued. Eight or ten leading Democrats had a meeting for the purpose of discussing the situation. As a result of this conference, it was resolved that a public reception, at the close of his Congressional term, be extended to Haskin, at Morrisania Hall, located on Railroad Avenue, near One Hundred and Sixty-seventh street, when the course which had been pursued by their Congressional Representative was unanimously approved, and a committee was appointed "to take such action as might be necessary to secure his return to Congress." Word had been sent to all government officeholders in Haskin's district (comprising the counties of Westchester, Rockland and Putnam) that under no circumstances must he be permitted to receive a renomination for Representative; and the recipients of Administration bounty in the district were not slow in heeding the "mad dog" cry. The President had taken his stand with the pro-slavery side of Congress, and he felt in duty bound to subdue every rebel he could reach. The Administration could manage all the Custom House patronage and all the Postmasters throughout the district, and their influence together with that of every other participant in Federal patronage was concentrated against Haskin.

Under such circumstances, it was of course quite apparent to the friends of Haskin that there was no chance of his obtaining a nomination in a Democratic Congressional Convention, which was certain to be under the control of the Administration. So it was determined to call a mass meeting of independent Democrats and all citizens who approved of Haskin's course, to meet at Tarrytown, in Westchester county, in the month of June, 1858, "to take such action as might be deemed advisable to secure the nomination of a citizen to represent the Ninth Congressional District, in the House of Representatives, who would pledge himself to resist the encroachments of slavery on the virgin soil of Kansas." This announcement brought together an assemblage of between three and four thousand citizens, a mass convention was organized, with officers representing every town in the Congressional District. John W. Forney (a leading politician of Pennsylvania, and who was then the editor of a Washington as well as a Philadelphia daily paper,) made a very vigorous speech, lauding Haskin for his manly course; letters from Senators Douglas and Broderick were read, which also highly commended him; and a committee was appointed to draft resolutions expressive of the sentiments of the meeting. No such gathering had ever before been seen in Westchester county, and the enthusiasm was sincere and fervid. After recess, the resolutions which had been prepared and which very appropriately expressed the sense of the gathering, were read, the last one recommending th nomination of John B. Haskin, then and there, as "th People's Candidate for Congress." This last resolutio was vociferously applauded, and was adopted unanimous Haskin was then sent for, and he made a very tell speech, acknowledging, in accepting the nomination, realization of the fact that all the power, money and in

ence of the Administration would be used against him, but promising to "win, or die."

The canvass was a most exciting one. Probably nowhere else in the United States was so much interest taken in a Congressional contest. The Administration had secured, as an opponent of Haskin, Governeur Kemble, of Putnam county, a gentleman of vast wealth, and the owner of the most extensive foundries in the Union. His friends were given *carte blanche* to "win the fight," and the old farmers of the three counties interested were more than surprised at the substantial inducements held out to them to exercise their right of suffrage—for Kemble. Under the advice of Horace Greeley, the Republican party placed no candidate in the field, leaving the issue a square one between the people and the Administration, with all the patronage, the influence of "regularity," and a candidate "with a barrel" at his command, on the side of the latter.

Haskin, as the nominee of the Democracy, at the preceding Congressional election, had received a majority of more than two thousand, and he knew he had a desperate fight on hand. But, with two fast trotting ponies, a driver, and a barouche, he visited every nook and corner of every town in his district, talking whenever and wherever he could get fifty or sixty people together; and when the polls were closed on election day, the ascertained result was so close that it was not until the canvass by the Boards of Supervisors of the three counties that the actual figures could be had and the winner positively determined; and then it was announced that, in the counties of Rockland and Putnam, Kemble had received 1,009 majority over Haskin; but, in Westchester county, Haskin received 1,022 majority over Kemble; and, for this thirteen majority over his opponent, Haskin received a certificate of election from the State Board of Canvassers.

So you will perceive, my dear Dean, that our people,

when they get aroused in a good cause, almost invariably pulverize Bossism whenever and wherever it shows its head; and, it would be well if some other people troubled with that complaint should, as Capt. Cuttle remarked, "make a note of it."

John B. Haskin was quite a character in his day. He made an able Representative in Congress, but he evidenced no fondness for public office. He seemed to take especial pleasure, however, in local controversies of any and every kind, and he was a terror to local politicians before the village of Fordham, in which he lived, became part and parcel of the metropolis. Commissioners of Highways who did not give all the attention he desired to the roads which led to his house; Assessors who failed to place a little higher valuation on his neighbor's property than on his; Constables who did not pound every cow found trespassing on his pastures; in fact, every local official who did not follow his bidding in all things incident to his immediate surroundings, found in Haskin a disturber of his peace. He would call a public meeting on the shortest notice for the most trivial cause; and his indulgence in invective, at these gatherings, may have been "equalled by some but surpassed by none." But, aside from these peculiarities, he had some very good traits of character. He was nicknamed by politicians "Tuscarora," and on almost all questions he was generally found on the side of the minority, believing, with Mike Walsh, the eccentric New York politician, to whom I have referred, that "any dead fish can swim with the stream, but it takes a real live one to go against the current."

One of Haskin's associates from this city, in the House of Representatives, was Daniel E. Sickles, formerly a State Senator, and afterwards private Secretary to James Buchanan, when Minister to England. He was elected to Congress the same year as was Haskin, in 1856, but,

unlike that gentleman, he stood by the Administration in its pro-slavery fight, and had no trouble in securing a re-election in 1858. But, during his second term, he discovered an intimacy with his wife on the part of one in whom he confided, Philip Barton Key, of Baltimore, son of the man who wrote "The Star Spangled Banner." Key, at the time, was United States Attorney for the District of Columbia. Sickles' devotion to business and politics kept him a good deal away from his wife—a pretty Italian, young, attractive and fond of gaiety—and this threw her more into the society of Key than was good for her, he being permitted by Sickles to accompany her to almost every ball and reception. Upon his return home, one night, while his wife was at a reception at Willard's Hotel, he found a note addressed to him, in which he learned the facts of his own dishonor. The note was unsigned, but was evidently written by some one who knew what he or she was writing about. He at once had the alleged facts investigated, and upon receiving incontrovertible evidence of their truth, he laid the statement before his wife, who at first denied everything, then stammered, then fainted. When revived, she fell down on her knees, confessed all, and begged her injured husband to pity and forgive her. Meanwhile, Key, the cause of the misery in the Sickles' household, led his usual gay life, playing on the very edge of a volcano. He went on Friday night (the night after Sickles' discovery) with a lady to the theatre; on Saturday, took another lady to Mrs. Kemble's readings; and on Sunday morning prepared to enjoy himself. He went to Willard's Hotel, after breakfast, and chatted with some friends; then proceeded to the National Club House, opposite Sickles' home; and at last went out on the street and waved his handkerchief under Mrs. Sickles' window. This was the signal that he wanted her to come to see him. He little thought, when he was making that signal, that the

woman he was making it for had confessed all about him to her husband, and was crying with shame, as if her heart would break; and little did he dream that, in less than an hour, there would be no such person living as Philip Barton Key.

While the seducer was thus, on Friday and Saturday, whiling away his time, the injured husband was suffering torments. He sent for two intimate friends, Mr. Butterworth and Robert J. Walker, U. S. Secretary of the Treasury, and told them his sorrow and his shame, sobbing, this great strong man, as if his heart was breaking, when he showed them the written confession of his wife. After his friends left him, Sickles went out into the street, walking in an excited manner, and, as he turned the corner toward his house, he observed Key making the signal for his wife which had been described to him in the letter; and as the betrayer and betrayed met, friend and husband, Key, knowing nothing of his danger, saluted Sickles; but Sickles glared at him, and in a loud, firm voice, said: "Key, you scoundrel, you have dishonored my house and you must die!" and drawing a pistol instantly fired at Key, who made a motion to insert his hand into a side pocket, as if to pull out a pistol, although it was ascertained afterward that it was only to get a chance to hurl an opera glass at Sickles. Key then seized Sickles by the collar of his coat, and made an effort to strike him with the opera glasses. Sickles struggled with Key for a second, got the collar of his overcoat out of his clutch, and fired again at Key, who, retreating backward, toward the Club House, staggered, fell partially to the ground, resting on one knee, when Sickles advanced and fired a third shot into his enemy, exclaiming again, as he fired, "You villain, you have dishonored my house, and you must die!" And Key did die. They carried him into the Club House, and in a short

time his dead body was lying on the floor in a back room of the Club.

Sickles made no attempt to escape; was arrested, confined in a cell, and held for trial. Sickles' wife was driven nearly crazy by shame and remorse. She asked to see Sickles, but he refused to see her; but when a clergyman visited him in his cell at midnight, and, on behalf of the woman who bore his name, begged him to return to her the wedding ring which he had taken from her finger after she had written the confession of her guilt, he at last relented, and returned the ring, but he broke it before doing so, and the wretched wife only got back a broken ring.

The greatest sympathy was expressed for Sickles, who, after a lengthy trial, was pronounced by the jury "not guilty" of murder, the crime for which he was tried. The evidence brought out fully confirmed the guilt of Key; and, on the ground that the exasperating facts had impelled Sickles to the commission of his deed in an hour of frenzy, he was acquitted; and he received congratulations from all sides, from his many influential friends. At the opening of the Civil War, he raised a Brigade of five regiments, served with honor and distinction all through the war, in which he lost a leg, and was promoted for bravery to the rank of Major General. In 1869, he was made Minister to Spain, and afterwards held other civil positions, among which was that of Sheriff pro tem. in 1890 for the County of New York. And there is no more regular attendant at the Metropolitan Opera House, during the Opera season, in this City, than Major General Daniel E. Sickles, associate of the late John B. Haskin during the Administration of President James Buchanan.

LETTER XLIX.

BOSS KELLY IN TROUBLED WATERS—INDIGNATION LOCAL AND GENERAL HEAPED UPON HIM—SECTARIAN FIGHT AGAINST WILLIAM R. GRACE IN A MAYORALTY CONTEST—KELLY'S MOTIVES SEVERELY CRITICISED—HOW MAYOR COOPER UNTIED AN ALDERMANIC DEADLOCK—A BEHEADED BOSS'S VINDICTIVE SPEECH—THREATENED REVOLT IN TAMMANY AGAINST ONE-MAN POWER—HOW THE FIRST MAYOR OF GREATER NEW YORK, ROBERT A. VAN WYCK, ALMOST RUPTURED TAMMANY HALL.

MY DEAR DEAN:

General Winfield Scott Hancock's defeat as Presidential candidate, in 1880, brought on another season of grief to the Tammany Hall leader, John Kelly. I have shown how that gentleman, in the furtherance of his quarrel with Tilden, in 1876, bolted the renomination of Mr. Tilden's friend, Gov. Lucius Robinson, in 1879, thus insuring the election of Alonzo B. Cornell, Republican, as Governor; and how, at the Democratic National Convention of 1880, he was, in consequence, "disciplined"; and how he became penitent, craved forgiveness and was welcomed back as a co-worker in the Democratic phalanx, upon his assurance of earnestly and heartily supporting the nomination of Gen. Hancock, whose election with the undoubted support of all the Southern States and the then assured promise of the Electoral votes of the State of New York, was regarded as a certainty. The defeat of Gen. Hancock, following the great fraud perpetrated upon Mr. Tilden in the 1876 canvass for President—and the later disaster caused only by the lack of about twenty-one thousand Democratic votes in the State of New York—was attended with not only bitter

disappointment, but with the belief that the defeat was due to treachery in the City of New York, John Kelly being the cause.

In obedience to the promises made by the representatives of the then Regular (or Irving Hall) Democracy and Tammany Hall, at the National Convention in Cincinnati, the rival Democratic factions in the metropolis joined hands in local nominations, so as to present a united front in support of the Presidential candidate of the party. But while the Democrats, being thus united, felt confident of victory, their opponents, realizing that New York was the pivotal State in the Presidential contest, determined to concentrate all their energies upon the reduction of the majorities in the two Democratic strongholds, the cities of New York and Brooklyn. In this they were aided very materially by John I. Davenport, the Federal Supervisor of Elections, who bent all the autocratic powers of his position to harrassing and putting every possible obstacle in the way of Democratic voters, by arbitrary arrests designed to intimidate citizens, many of whom, to avoid those tyrannical proceedings, availed themselves of any excuse to stay away from the polls; while it was a proven and unmistakable fact, that, both in New York and Brooklyn, thousands of illegal votes, cast by colonized negroes and others who could be spared from "perfectly safe" Republican States, and imported and lodged and fed at the expense of the "Garfield Election Fund," were permitted, through the help of this same Davenport, to be recorded in favor of the Republican Presidential ticket.

Then it so happened that Wm. R. Grace, the Mayoralty nominee of the united Democracy, was a Roman Catholic, and, as at that time there was an uneasy feeling among religious sects regarding the public schools, and especially regarding the public school appropriation, lest it might be diverted to sectarian uses, the Republican leaders organized

a religious war against Grace; and from the day of his nomination until the closing of the polls, no effort was spared by the Republican press as well as by the pulpit to array religious bigots in opposition to the Democratic nominee for Mayor. Moreover, the platform adopted by the Cincinnati Convention, that of "a tariff for revenue only," was interpreted by the business world to mean a rejection of all idea of protection and a further disturbance of a very much depressed condition of affairs, and this succeeded in creating "a business scare." Such were the conditions which the New York and Brooklyn Democracy had to face in the Hancock campaign; and it was this combination of circumstances, not treachery on the part of John Kelly, which served to reduce the Democratic majority for Hancock in the metropolis, from an anticipated 65,000 to only 37,877; while the majority for Garfield in the entire State was only 21,033 votes.

It would, perhaps, have been more judicious, and would have evidenced better political sagacity on the part of Mr. Kelly, to have avoided the possibility of a sectarian issue being brought into a Presidential contest, by selecting at that time some candidate other than Grace, who was, however, elected in spite of the ridiculous onslaught made against him. But that gentleman had been suggested and chosen solely on the ground of his fitness for a public trust. In the minds of intelligent citizens his religious views had nothing whatever to do with the administration of his office. And neither of the organizations responsible for his selection felt that they could, with any dignity or self-respect, succumb to the scheming politicians and pulpit blatherskites who sought to drag religious animosities into a simple New York municipal contest.

It was deemed wiser to endure defeat than yield to bigotry, against which so many battles had had to be fought in times past, in the metropolis; for it is the feeling

of every true American citizen that he who stimulates people to bigotry is the worst enemy of his race and of the community in which he lives; and when a party ventures upon such an outrage, as did the Republicans in the Mayoralty canvass referred to, it should be resented, not acceded to by the people.

But the election was a general disappointment; and, as there was no hope of correcting this second capture of the Presidency through fraud—once by means of corrupt Returning Boards in the States of Florida and Louisiana, and then through hired repeaters and Federal interference with the rights of citizens in New York State—because the Congress to which such a question would be referred was largely Republican, a scapegoat was made of John Kelly, and he was denounced as the immediate cause of the political disaster.

As a political leader John Kelly was not a decided success, except for John Kelly, and in this respect both he and his *bête noir*, Tilden, were much alike. Tilden used prominence in politics as a means to an end, the end being the pocket of Samuel J.; for it brought him, as a lawyer, in contact with large railroad controversies, by means of which he managed to feather his nest very comfortably; and Kelly always succeeded in making politics pay him handsomely, but in a perfectly legitimate, official manner—not through the stock-jobbing, toll-gate dividends indulged in by other Bosses. After the election of Wm. H. Wickham as Mayor, as a kindly remembrance for favors received, Kelly secured an appointment as City Comptroller. His term was to expire in December, 1880, and, as it was understood that he held through Governor Cornell (for benefits extended in 1879) such a combination in the Board of Aldermen as would prevent a confirmation of his successor, should the then Mayor, Edward Cooper, make such a nomination within three or four weeks of the close

of his official term, many believed that it was a bargain to secure reappointment as Comptroller that induced Kelly to agree to the Irving Hall nomination of Wm. R. Grace for Mayor.

Be all that as it may, a scapegoat was needed to account for the defeat of General Hancock; and, as the reign of Kelly as Boss had shown no marked evidence of benefit either to the metropolis or to Tammany Hall, and as he had begun to manifest on all occasions too much of that "one-man power" which was his great characteristic, indications of a Tammany rebellion became manifest on all sides. In addition to this, Kelly, who controlled two daily newspapers, the New York *Star* and the New York *Evening Express*, had got into a bitter personal controversy with both the New York *Sun* and New York *Herald*, and, altogether, the Boss was in a bad way. It seemed as though nothing could save him from "the deep blue sea"—that he was a genuine if not an original Jonah, and would be treated accordingly. The following extract from an editorial in the New York *Herald* of November 5, 1880, evidences the feeling regarding him on the part of that journal:

"The unrestrained wrath with which the indignant city Democracy assail Mr. Kelly, is the plain consequence of his defying public opinion by nominating a candidate for Mayor for the selfish purpose of securing his own re-appointment to the Comptrollership. He wantonly sacrificed the Hancock ticket to his unscrupulous quest of local power. The Democracy here and elsewhere perfectly understand his perfidy, and they only await an opportunity for a reckoning. They intend to punish him and make an example of him as a warning to bolting renegades and traitors. * * *

"Kelly's office of Comptroller is the keystone of the arch of tyranny he had plotted to establish. He relies on the permanent discord between Mayor Cooper and the present Board of Aldermen to throw into Mayor Grace's hands the appointment of a Comptroller for a new term of four years. Kelly's current term—to which he was appointed on the third of December, 1876, by Mayor Wickham, for whom he now has no word of ungrateful abuse too foul—will expire on the third of the coming December. Mayor Cooper and the Aldermanic majority which was

elected on the ticket that was headed with Mayor Cooper's name, in the municipal election of 1878, have power to oust him and agree upon a successor if, as is hoped, they will sacrifice personal jealousy to public duty and resume harmonious relations."

To endeavor to appease the growing feeling of antagonism, Kelly called a meeting of the Tammany General Committee on Friday, November 5, to which he submitted a printed address, claiming that the defeat of Hancock was due to wholesale colonization of Republican repeaters, and to the independent press in personal abuse concerning his management of the local ticket. Robert A. Van Wyck, present Mayor of Greater New York, then a member of the Tammany General Committee, took exception to the address, and offered, as an amendment to its conclusions, "that the defeat of Hancock was owing to the mismanagement of the party leaders of this City."

The occasion referred to presented the most extraordinary scene witnessed in Tammany Hall since Kelly had become "Boss," in 1872, and was regarded as an evidence that there were some few members of the Tammany organization who were not grovelling slaves. When Van Wyck offered his amendment, Kelly, who had been sitting like a sphinx up to that moment, turned his head to the left, in the direction of the bold and uncompromising speaker, and seemed to feel as if an earthquake had occurred. He had been so long accustomed to sit still and hear his satellites trumpet the praise of their "honored leader," that it was something entirely novel for him to hear his virtue and wisdom impugned. In stolid amazement he looked at Van Wyck, whose voice rang like a clarion through the hall, and whose words and sentiments provoked applause, despite the dense mass of opposition against him.

After the broadside of Van Wyck had been fired, it was evident that some of the big guns in the organization were

necessary to change the effect of his fearless denunciation; and Thomas F. Grady (a Tammany Demosthenes of the first order, now a State Senator) was sent to the platform, whence for nearly an hour he thundered forth a defence of Tammany Hall and John Kelly, eliciting rounds of applause. Ex-Congressman Wm. R. Roberts, celebrated as another "honored leader" orator, together with James M. Lyddy, who worshipped the very ground John Kelly trod on, and Ex-Governor Dorsheimer, who was then editor of the New York *Star*, with others, followed Grady in support of the prepared address presented by Kelly, which was of course adopted with a "hurrah," and the Boss was satisfied. His address had been approved. He had been "vindicated."

Both the Tammany Hall and the Irving Hall organizations then appointed committees to investigate alleged colonization frauds; and soon, in the hurly-burly of local politics, the Presidential defeat was forgotten.

In the early part of December, Mayor Cooper began to make arrangements to secure the confirmation of the nominations for the lucrative and influential offices he had at his disposal. It was understood that the Republicans in the Board of Aldermen were willing to make terms with him, but their terms were high. They wanted the Comptrollership and the Presidency of the Tax Commission, claiming that their votes and position entitled them to two members of the Board of Apportionment. The thought also that they ought to have a representativ in the Dock Board, and demanded a representative in th Park Commission, and claimed at least one of the lo terms of Police Justices; but signified their willingnes give up their claims in regard to Docks and Police Justi and even Parks, for the nomination for Corporation C sel, which they wanted for Elihu Root, who is s power in Republican politics. The Mayor did not att

to disguise the fact that he was very anxious to supplant Kelly in the Comptroller's office, but proclaimed that he would under no circumstances give that office to the Republicans. Besides, he had become not a little alarmed in regard to making arrangements with any of the Aldermen or their representatives. A clause in the Charter of 1873 made it a felony to enter into an agreement with them. Should he succeed in making such an arrangement with the Republicans, or with individual Aldermen, he had heard that Tammany Hall was ready to take action against him, under the section of the Charter which read as follows:

Section 100.—Every person who shall promise, offer, or give, or cause, or aid, or abet in causing to be promised, offered or given, or furnish, or agree to furnish in whole, or in part, to any other person, to be promised, offered or given to any member of the Common Council, or any officer of the Corporation, or clerk, after his election or appointment as such officer, member or clerk, or before or after he shall have qualified and taken his seat or entered upon his duties, any moneys, goods, right of action, or other property, or anything of value, or any pecuniary advantages, present or prospective, with intent to influence his vote, opinion, judgment or action, on any question, matter, cause, or proceeding which may be then pending, or may by law at any time be brought before him in his official or clerical capacity, shall be deemed guilty of a felony, and shall upon conviction be imprisoned in a penitentiary for a term not exceeding two years, and shall be fined not exceeding five thousand dollars, or both, in the discretion of the Court.

The section provided similar punishment for the person proved guilty of receiving a bribe, consideration, or pecuniary promise; but a person giving information was to be let off free. Kelly believed that the quoted section of the Charter would deter the Mayor from making a deal; but he was worried over the fact that Mayor Grace had publicly proclaimed himself as an "independent," and that he would bring a good deal of stubborn individuality with him into the Mayoralty chair, not expected by the powers that be; and thus it was not a pleasant time for the Boss.

It did not take Mayor Cooper many days after an alleged

"secret conference" to make up his mind to oust Kelly. On Friday, Dec. 10, he transmitted to the Board of Aldermen his batch of nominations, and to the dismay of the Boss the nominations were promptly confirmed. The Republican leaders had agreed to a change of base. They had entertained designs of power and official patronage in the City vastly greater than they could gain by the co-operation in filling official vacancies suggested to them by the Mayor. They had expected to be able to pass through the Legislature a new City Charter; but, after taking the concensus of the new Legislature, it was found that the anti-Conkling influence in the Senate would defeat that scheme. Hence they accepted what positions Mayor Cooper was pleased to give them, and their Aldermanic representatives voted for the Mayor's "slate." All the officials appointed by the Mayor on that Friday took the oath of office the following day, December 11, and Tammany Hall thus lost control of every Department in the City and County, except the office of Register; while anti-Tammanyites now had the Sheriff, the County Clerk, the Department of Public Works, the Comptroller, and the Tax Department, besides claiming at least a neutralizing influence over the incoming Mayor. The new Board of Aldermen would consist of eight Tammany, seven anti-Tammany and seven Republican members—a very inviting condition of affairs for a deal, when desired.

The day after Mayor Cooper's municipal *coup d'état*, the Tammany Hall Committee on Organization was called together to make arrangements for the holding of Primaries to elect a new General Committee for the ensuing year. This, of course, offered a good opportunity for Col. Wm. R. Roberts, Thomas F. Grady, General Spinola, Henry D. Purroy, ex-Coroner Woltman, Alderman Kirk, ex-Assemblyman Holahan, and others to "honor" their leader again. Ex-Assemblyman Holahan, now President of the Board

of Public Improvements, was especially angry at Mayor Cooper for turning the Boss out of office the day before. He said: "Let Edward Cooper, that infamous hypocrite, who occupies the Mayoralty chair, know that, after his betrayal of the Democracy, he is no nearer Heaven, nor Samuel J. Tilden nearer the White House, than they were before!" Gen. Spinola spoke of Mayor Cooper, Samuel J. Tilden, Andrew H. Green, and others, as "political harlots." He eulogized Kelly as Comptroller, and said: "He is dearer to his party in this his seeming hour of trial than he ever was before. Kelly is not responsible for traitors like the four Tammany Aldermen who voted to confirm the Mayor's nominations. The Saviour of mankind could not protect himself from a Judas. But we can look out hereafter for the Judases of Tammany." Spinola then charged Samuel J. Tilden and his friends with selling out Hancock. "We may not have an office under the City government," he said, in conclusion, "but they cannot destroy Tammany Hall. It had its birth with the Republic, and it will never die until it is laid side by side in the same coffin with the Republic."

Mr. Kelly then stepped forward from the chair and said:

"I suppose, gentlemen, that most of the members expect that I should say a few words before the adjournment of this meeting. It is proper that I should. It has been said that Mr. Kelly has been deprived of the office he held as Comptroller. He can live without it! If there is any man who thinks it is a matter of much consequence, I would assure him that it is not. While I held the position I discharged my duties faithfully to the city, and to the Democratic party which placed me there, and my record in that office is proof of the fact. Mayor Cooper admitted, before the Senate Investigating Committee, that he had been elected by the Republicans and a faction of the Democracy, and felt that he should give representatives of those factions positions. What an humble, what a degraded position for a man to confess himself in! Physiognomists say that the shape of the head and face determines the character of the man. If that be so, let any man look at Cooper's face, and he will see what he is. I believe with the old Sena-

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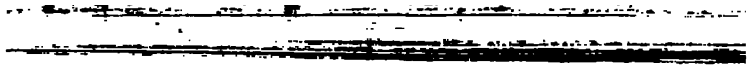
JOHN KELLY



tor, who refused to vote for a General who parted his hair in the middle. Mr. Cooper has not common honesty; he has surrounded himself with some of the worst scoundrels in the City, and has appointed men to office who were unfit to fill any place and are a disgrace to humanity. In the Board of Aldermen we had four traitors who belonged to Tammany Hall. A look at those men will show their characters."

But Kelly ought to have looked at them before he nominated them. Kelly then mimicked the manner of walking and talking of the four Tammany Aldermen who had voted for the Mayor's nominees. The mimicry provoked hearty laughter. He proceeded:

"One of them waddled around like a duck in this manner" (walking around the platform in a swaggering, rowdyish way), "and like a duck has his head always down, ready to pick up anything out of the gutter. Another of them has the manner of a loafer, and talks in this style: 'Well, youse thought I didn't amount to anything, but I do. I'm a member of the Kommon Kouncil (with two k's) and those fellows came to see me because I had a vote in the Kommon Kouncil, and I know what my vote is worth!' These two men," continued Mr. Kelly, "say they represent the Irish race. But God forbid that they should represent any respectable old race, and they do not. Then there are two elegant fellows who claim to represent the German race. One of these is a barber, and shaves people, and the other is a brewer, and makes beer. Are these the class of men who should represent you in the Common Council? Like the old Goth who had plundered Rome, these men should be buried in the bottom of the river—the Bronx, if you wish—and the purchase money for which they sold themselves buried with them. Let not the place of their dishonorable burial be known to mortal man, but let the fact be recorded that four men received money for their votes, and were then taken to a river and buried with their plunder. Tammany Hall had used every honorable influence to keep these men true to their party and themselves, but they had said, 'The influence that now controls me is here (tapping his trousers-pocket), and you can all go to the devil.'"

After a passing allusion to Mayor-elect Grace, whom Kelly complimented, he referred to the alleged bargain between Mayor Cooper and the Republican leaders, and said:

"When a United States Senator leaves Washington and comes to this City to go into secret conclave with Ward politicians, to make dishonorable combinations, as Senator Conkling has done, the public may rest assured that that man will use corrupt means in the National Legislature to work out his purposes, irrespective of the interest of the people. It was a disgraceful scene, to see a United States Senator descend from his high position to enter into bargains and deals with low, cunning, and dishonest Ward politicians."

Mr. Kelly concluded his remarks by saying:

"And now, gentlemen, were I to consult my own convenience and pleasure, I would be out of politics. I have no ambition to be looked up to as a leader. I am one of yourselves, and if I am a leader, it was because you allowed me to get first and made me one. You can stop this at any moment; this moment, if you so desire. Nine years ago, I found Tammany Hall in wretchedness and filth, and every room emitting a stench. I and those acting with me were called upon to re-organize the party. We did so, and were victorious. We have now been beaten; but if we have, we fought for principle. The press and people to-day may think a great victory has been achieved in depriving me of office; but there may be a revulsion of feeling. Men who had claimed to be Democrats had worked in dark and devious ways, by stealth and in secrecy, and these were the men who betrayed the National Democracy and defeated its candidates. The record of Tammany Hall in the late election was bright and clear as an electric light. Would to God that men not in Tammany Hall had been as faithful to General Hancock. Then we would have a different story to tell; for General Hancock would have been President-elect. (Cheers.) The papers say I am down, but I care not. I love retirement and quiet; but, as you have expressed your confidence in me as a leader, you can at all times, under all circumstances, in light or dark, command my services." (Prolonged cheers.)

Resolutions were then adopted, denouncing Aldermen Haffen, Helbig, Goodwin and Foster, the four Aldermen referred to by Kelly; asking for the appointment of a sub-committee to investigate charges against them of having accepted bribes; and recommending that they be publicly expelled from the General Committee at the next meeting.

But, notwithstanding Kelly's evident satisfaction with the condition of things in Tammany Hall, the work of disintegration had already begun, resignations of members

in large numbers were being received, and steps for the formation of a new and vigorous Democratic organization had already been taken, of which I shall have something to say in another letter.

LETTER L.

INTRIGUE WHICH LED TO THE NOMINATION OF A MAYOR—COALITION BETWEEN VICTORIOUS IRVING HALL AND MUCH-SUBDUED TAMMANY—MEMORABLE DEAL AT WESTMINSTER HOTEL—A HAT AS A SUBSTITUTE FOR A NOMINATING CONVENTION—HOW THE BOSS OUTFLANKED THE IRVING HALL "STATESMEN"—POPULAR DISAPPROBATION OF POLITICAL HUCKSTERING—NARROW ESCAPE FROM DEFEAT OF UNITED DEMOCRACY NOMINEES—AN INDICATION OF WHAT INDEPENDENT DEMOCRATS CAN DO IN A MUNICIPAL CONTEST.

MY DEAR DEAN:

In the preceding letter I alluded to the Mayoralty contest of 1880, but I did not speak of certain peculiar antecedents of that bitter canvass, which may serve to illustrate another feature of Bossism in local politics not previously referred to.

Inasmuch as John Kelly, the then "Prodigal Son" of Democracy, and John R. Fellows, the representative of the then victorious Irving Hall faction, after the public reconciliation in which they took part at the National Convention of 1880, had made such glowing promises of what New York would do for General Hancock, as the Presidential nominee, the leaders of the rival organizations felt that it was incumbent upon them to make a show of "getting together" and presenting a united front to the opposition. As a rule, the selfish desire of local political leaders to control the vast patronage of a great City like New York has always predominated, and has been of much greater interest to them than success of a Presidential candidate. This was the condition of affairs at the time of which I speak.

Edward Cooper, son of the much revered philanthropist, Peter Cooper, was Mayor. He had at his command nominations for several lucrative offices soon to become vacant, including that of Comptroller, held by Kelly, and also Commissioner of the Department of Public Works—a position of great power. Cooper, who had been two years previously elected as an Irving Hall Democrat, with a Republican endorsement, was not only willing but anxious to be renominated, as his term was about to expire also. Thus there were what poker-players would call "three of a kind;" for, besides the Mayor, Kelly and Thompson were on the anxious seat—the former wanting to be re-appointed Comptroller and the latter very desirous of filling the Commissionership of the Department of Public Works as compensation for his "patriotic" endeavors. Mayor Cooper held the key of the situation. Had he been willing to re-appoint Kelly as Comptroller, everything would have been harmonious in the camps of the leaders; for Cooper would have been re-elected Mayor, Kelly would have been gratified in the realization of his desires, and so would Thompson; but Cooper had been so outspoken against the re-appointment of Kelly that he felt he could not recede; and hence, there was a mutual declaration of war so far as the Mayor and Kelly were concerned, but still both were disposed to keep on the alert for chances.

At a Presidential election it is impracticable for either the Tammany or anti-Tammany factions to make a combination with their Republican opponents; and as the only hope for the leaders of the Democratic factions, Kelly and Thompson, to carry their point was to dwell together in unity, overtures to that end were made at the beginning of September; Boss Kelly, in the meantime, bending all his energies to keep the members of the Board of Aldermen so divided that Mayor Cooper would be checkmated in any

effort on his part, should he attempt to fill the approaching vacancies with nominees not suited to Kelly's mind.

In accordance with a previous understanding, the two wings of the Democracy met on neutral ground, at Westminster Hotel, (within a stone's throw of the rival Halls,) on the second day of September. Irving Hall was represented by Hubert O. Thompson, John McKeon, Emanuel B. Hart, Timothy Shea, Peter Bowe, Wm. A. Butler, Michael Norton, Wm. P. Mitchell, Maurice J. Power, Thomas Costigan and James J. Mooney; the Tammany wing was represented by John Kelly, Wm. R. Roberts, Henry D. Purroy, Samuel Conover, Edward D. Gale, Francis B. Spinola, R. B. Martine, Wm. Van Wyck, Henry Woltman, John W. Browning and Peter Gillespie.

After shaking hands and indulging in the complimentary remarks common to rivals who meet for harmony, but with the intention of getting the better of each other, if possible, Kelly courteously suggested that Thompson be made chairman of the joint conference, and after the Irving Hall leader had taken the chair, Kelly added that he was very glad to see the spirit in which the Committee had come together. "Tammany is willing," he said, "to sacrifice anything and everything to secure the success of the Democratic cause, and she assumes that the other side is also as willing." This was as plain an intimation as the Boss could throw out to Mayor Cooper that there was a possibility of making comfortable conditions. If Mayor Cooper had only been willing to "sacrifice" his determination not to appoint Kelly Comptroller, the Boss would have "sacrificed" his hostility to that gentleman, and all differences might have been settled then and there; but, as the poet Whittier says:

> "Of all sad words of tongue or pen
> The saddest are: It might have been."

There was no one present authorized to speak for

Cooper on the main point; and so the conference went on to a disgraceful conclusion; and notwithstanding Kelly played his cards with remarkable success all through the conference, Mayor Cooper got the better of him at last, as stated in the preceding letter.

Emanuel B. Hart, after complimenting Kelly on his commendable desire for unity, said that Irving Hall was willing to meet him half-way, and although she now had the National stamp of regularity, she would be generous, and agree to an equal division of Congressmen and Assemblymen. Beyond this he was not authorized to go at that time. Kelly immediately said: "Well, I agree to that proposition," and then he suggested that each side select a sub-committee of four to make a division of the districts for each of their respective organizations. Messrs. Thompson, Bowe, Hart, and Butler were appointed on the part of Irving Hall, and Messrs. Kelly, Van Wyck, Gale and Martine on the part of Tammany. After a long recess, the sub-committee returned without being able to agree upon a report, and then it was suggested that the matter of a division of nominees for Members of the Assembly be referred to the chances of a lottery. Twenty-four numbers were written on slips of paper, and placed in a hat, and the leaders, Messrs. Thompson and Kelly, drew from it alternately. The Eighteenth District (recognized as Kelly's, in which he resided) was one of the first drawn, and as Thompson produced the slip, indicating his prize, there was a general laugh, in which both Kelly and Thompson joined, heartily shaking hands with each other over the incident. As the drawing proceeded, there was apparent dissatisfaction on both sides; for Tammany drew four anti-Tammany, four Republican and one Independent Republican district out of the twelve which that organization was by agreement entitled to—only three districts being regular Tammany districts; and for Irving Hall,

Democratic Association." The joke of this device was that these two organizations were part and parcel of the Irving Hall organization; and when it was found that Tammany Hall was unwilling to concede the Mayoralty to Irving Hall unless Mayor Cooper could agree to appoint Kelly Comptroller, and that the Mayor would not do that, it was decided to bring these German organizations into the lottery business as independent bodies, to assist Irving Hall to dominate Tammany. In pursuance of this plan the German representatives stated that "they had been instructed to support the claims of Irving Hall to name the Mayor," and that they had been further instructed to state that "they would stand by Irving Hall, union or no union —in fact, they were really opposed to any union with Tammany."

Pausing for a moment at this point in my letter, my eye chanced to fall upon an item of news in a morning newspaper so apropos to the matter of which I have been writing, that I cannot resist the impulse of making a note of it:

READING, Penn., June 8th, 1897.

"Several hundred persons to-day witnessed the ceremony of selecting a new Bishop of the Mennonite Church by lot, at Millersville, Lancaster County, Penn. It is a custom of the Mennonite sect to select their Bishop, as well as the ministers of the different congregations, by lottery, and it is a custom exclusive with this denomination. To-day there were four candidates for the office of Bishop. The Rev. Jacob Brubaker, of Mount Joy, took four Bibles, and into one placed a strip of paper containing the words, "Indicated as God's Choice." The Bibles were then shuffled together and one handed to each of the candidates. The Rev. Abraham Herr, of New Danville, Penn., received the Bible containing the slip, and was duly declared Bishop of the Mennonite Church. There was great rejoicing among his friends, and the fortunate minister received many congratulations. The Mennonites are a very flourishing and industrious sect."

If, in the world beyond the grave, John Kelly and Hubert O. Thompson should chance to meet Bishop Abraham Herr, the trio may have a pleasant laugh over

the similarity of methods adopted in their respective "organizations" on this side of Jordan.

The matter which caused the halt in the love-feast of the Tammany and anti-Tammanyites was the pending State Convention, to be held at Saratoga on the 28th of September. Boss Kelly did not desire any more drawings by lottery till he saw how he was going to be treated; then, if allowed to come back into the party in good fellowship, so that he could return to New York in triumph, his friends said, he was willing to allow Irving Hall to name the Mayor, if he could be assured of his re-appointment as Comptroller, and of the appointment of Henry A. Gumbleton as Commissioner of Public Works. But this modest proposition was pooh-poohed by the Irving Hall people, who did not see anything in it for Thompson.

But, notwithstanding all Irving Hall's assumptions and pretensions, its submission to Tammany Hall was complete. For Kelly managed to put off meeting in conference with them, under one pretext and another, until after the holding of the State Convention, and in spite of the avowed determination of the Irving Hall delegates to "appeal to the people" if Kelly did not meet with them, the Irving Hall Executive Committee in caucus passed resolutions tendering to Kelly one-half the delegates from this City to the State Convention. And to the surprise of every one, Mayor Cooper (who had dared to oppose the re-appointment of Kelly as Comptroller, and for that reason, Kelly had declared, "should never be Mayor of New York again," just as he had said a year before that "Lucius Robinson should not again be Governor") was present on a Tammany Hall reviewing-stand, a few nights before the holding of the State Convention, wearing a Tammany Hall badge, having previously publicly announced his withdrawal from the Mayoralty contest.

The State Convention was held at the appointed time,

and everything passed off smoothly, without a ripple of discord, the rival organizations of the metropolis having appeared with equal delegations, a strategical advantage having thus been gained by Tammany.

The second of October had now been reached, and the settlement of a union on the County ticket was still on the tapis; and the meetings of the Joint Conference Committee were again resumed at Westminster Hotel, when Kelly who, having been recognized at the State Convention, now assuming a dogmatic air, stated that he would renew the question he had previously asked, and which had remained unanswered, whether the representatives of Irving Hall still adhered to their determination to demand the right to name the candidate for Mayor. The delegates from Irving Hall asked leave to withdraw for conference, and on returning answered Kelly's conundrum by stating that the Irving Hall delegation to the Conference Committee "had not been instructed to demand the Mayoralty nomination," and that it was their desire and the desire of their organization to do everything they possibly could to come to some agreement with Tammany in the matter of uniting upon the County ticket.

Everything was then going Kelly's way, for Irving Hall had abandoned all idea of "appealing to the people," as they had first resolved to do if Tammany would not agree to think as they thought; Mayor Cooper had withdrawn from the Mayoralty field; and they thought it was about time Kelly began making some of the "sacrifices" he had talked of at the commencement of the conference.

But the Boss was then feeling in good fighting trim, and instead of "sacrificing," indulged in a long Tammany Hall speech, and wound up by saying that in his opinion "neither Tammany Hall nor Irving Hall should assume that to one or the other was bequeathed the incontestable

right to nominate a Mayor for both organizations to support." Then, as a last resort, a proposition was made by the Irving Hall delegates that both Tammany and Irving Hall should call separate Conventions in the districts allotted to them respectively, and nominate Congressmen and Assemblymen; that the County Convention of each organization should be held on the same day and same hour, and a Conference Committee be appointed by each organization "instructed to bring about a union." Kelly promptly acquiesced in the suggested plan, and the time for the holding of the County Convention was then fixed for October 13; and the Joint Conference Committee adjourned to await the result.

By this time dissensions and divisions in Irving Hall began to crop out, and those dissatisfied with developing Bossism openly denounced its leaders. One of these boldly expressed himself in this way:

"There is a clique in our organization which desires to have the 'inside track' with any Mayor who may be agreed upon. These men want a man not versed in politics, because they believe they could run such a man's administration in their own interest. That is the whole secret of the trouble that has sprung up in these negotiations. There are others in Irving Hall who will never consent to the nomination of a Mayor who will be under the influence of Maurice J. Power, Hubert O. Thompson and Thomas Costigan. Why, those men have the sublimest impudence! Who ever heard of them before they came into prominence under Cooper, in a little ring of their own? By what right do they 'insist' that they shall name a Mayor for a City like New York, with its wealth, its great commercial and financial interests, and its able, rich and influential Democrats? It is a perfect farce to even think of such a thing."

The respective County Conventions were held on the 13th of October, and Conference Committees were appointed as agreed to. On the part of Tammany, the Committee consisted of P. G. Duffy, W. P. Kirk, J. J. Slevin, Thomas Shiels, H. A. Gumbleton, E. A. McCue, Wm. R. Roberts, E. O. Gale, J. J. Gorman, J. W. Guntzer,

Menzo Diefendorf, Henry Woltman, Sidney P. Nichols, John Reilly, Richard J. Morrison, F. B. Spinola, Geo. W. Plunkett, John Kelly, Joseph J. McEvoy, Michael Tuomey, Francis Blessing, John McQuade, Charles Welde and Henry D. Purroy.

The Committee from Irving Hall consisted of John Fox, Jeremiah Murphy, Daniel O'Reilly, Charles O'Reilly, Michael Norton, James Bryan, George H. Purser, Bernard Kenny, Timothy Shea, Wm. P. Mitchell, H. N. Ford, Peter Bowe, John Clark, John Tyler Kelly, Thomas Costigan, Maurice J. Power, Henry Murray, Hubert O. Thompson, W. B. Finley, W. A. Butler, E. B. Hart, W. S. Andrews, Hugh Moore and J. J. Mooney.

The Irving Hall portion of the "conference" had at a caucus selected a list of twelve names from which they thought a Mayor could be selected. This list was as follows: Wm. C. Whitney, Samuel D. Babcock, Franklin Edson, Emanuel B. Hart, Francis F. Marbury, Oswald Ottendorfer, John R. Voorhis, Andrew H. Green, John McKeon, Wheeler H. Peckham, Allan Campbell and Wm. R. Grace. The list of names thus selected was forwarded to their Tammany confrères, with the request that they make a selection on their part of the names of twelve gentlemen whom they would prefer as Mayoralty candidates. Their list was made up as follows: Augustus Schell, August Belmont, J. Nelson Tappen, Arthur Leary, J. J. Gorman, John T. Agnew, Judge McQuade, S. S. Cox, O. B. Potter, Chas. Place, Chas. H. Haswell and Wm. B. Mackay.

The Conference Committee met on the 19th inst. at Monument House, Union Square. John Kelly in the meantime having successfully "arranged" all matters to suit his ambitious purposes, Augustus Schell, like Mayor Cooper, declined to be longer considered a candidate for the Mayoralty, and ex-Alderman Purroy, in behalf of Tammany

Hall, presented a response to the Irving Hall proposition, as follows:

"The point for which both organizations have most strenuously contended was the nomination for Mayor. The Tammany Committee has claimed for its organization the privilege of naming the candidate for Mayor, on the ground that it is the ancient, time-honored organization of the City Democracy; that it is much larger and better known than its rival; that it is the oldest, strongest and most influential Democratic local organization in the county; and that, as the Irving Hall organization nominated the present Mayor of the City, the privilege of naming his successor this year fairly belongs to Tammany Hall. We do not complain that the representatives of Irving Hall strenuously insisted on the privilege of nominating the head of the City government, but we do feel that they have not given the reasons for conceding the nominations to Tammany the consideration and weight they deserve.

"The Tammany Committee feels that further insistence upon a prerogative, which, though founded on right, is not of vital importance, would be injurious to the great and sacred interests we all have at heart. The time for conferences has ended; the hour for action has arrived. We therefore accept your offer, in the spirit in which it was made, and with no purpose of reflecting upon the abilities, the merits, or the character of any of the gentlemen you have named, and have unanimously selected Wm. R. Grace as the Democratic candidate for Mayor of the City of New York."

Maurice J. Power moved that the Irving Hall delegates heartily concur in the selection of the nominee made by Tammany Hall, which motion was unanimously adopted. It was then agreed that Tammany Hall should have the nominees for Register and Recorder, while Irving Hall would be entitled to the Judge of the Superior Court. Whereupon Tammany named Augustus T. Docharty for Register and Frederick Smyth for Recorder, and Irving Hall named Charles H. Truax for Superior Court Judge.

In connection with the choice of Grace as one of Irving Hall's candidates for Mayor this incident was mentioned. When the Irving Hall Conference Committee was meeting for the purpose of deciding upon a list of names to be sent to Tammany Hall each member of the

Conference Committee who chose so to do proposed a name, and when the list was nearly completed Police Justice Murray moved that Wm. R. Grace be placed on the list. A motion was made, however, that the nominations be closed; but ex-Senator Moore insisted that Grace be named as one of the Irving Hall candidates. This motion was at last acceded to, and the list of names was sent to Tammany Hall.

The disgust of the rank and file of Irving Hall concerning the outcome of the Conference Committee was almost irrepressible. It was with the greatest difficulty that a rupture was prevented. It was plain to anyone that the would-be leader of the organization had been completely outwitted and out-generaled by John Kelly from the beginning of the conference, and now they found themselves credited with a nominee for Mayor who had never been a member of their organization, and who was believed to have been placed on the list of twelve names presented by Irving Hall through Tammany Hall intrigue, and that Grace had already promised Kelly a renomination as Comptroller as the inducement for his selection.

When the Tammany County Convention reassembled on October 19, Kelly ascended the platform and handed the Chairman, the late Henry L. Clinton, the report of the Conference Committee. There was an expression of evident satisfaction on Kelly's face which was unmistakable. Every movement of his body indicated that he was "a winner." It was less than four months since Kelly was adjudged an "irregular," a deserter from the Democratic camp, in the Gubernatorial election of 1879, by a National Democratic Convention, and now he had almost reversed the position, and carried off all the spoils through his adroit management of the several conferences. He felt so good he had to talk, and this is what he said:

"The several conferences which have been held by Tammany Hall with Irving Hall have resulted in agreeing on nominees for most of the offices to be filled. It has been unfortunate that the Democratic party in the greatest City in the Union has heretofore been divided. It has given power to the minority which they could not otherwise have obtained. These divisions have always resulted in a partial demoralization of our City government. The power has been thus so divided that no party has felt responsible for what has been done tending to injure the welfare of the people. Let us all congratulate ourselves that now there is a united party in the City. That party is to be led by one flag, and on it is written that the Democracy of the City and County of New York is consolidated under that leader who led the soldiers of the country to victory."

The Irving Hall County Convention also ratified the agreement of the Conference Committee, viz., Wm. R. Grace for Mayor, Augustus Docharty for Register; Frederick Smyth for Recorder, and Charles H. Truax for Superior Court Judge; but a most violent opposition to both Grace and Truax sprang up. A sectarian issue was brought into the canvass, because Grace was a Catholic, as was shown in the preceding letter, and it was also claimed that he was not a naturalized citizen; while bitter scandals were uttered against Truax, and he was strongly opposed by the Bar Association.

The returns of the election on the County ticket evidenced the disgust of the rank and file of the Democracy at the selfishness of the leaders in their contest for the spoils of office rather than the success of the Presidential ticket. Six weeks of hide-and-go-seek performances at conference matinées—in the interest of Kelly on one side and Hubert O. Thompson on the other—left only a two weeks' campaign (from October 20 to November 1) for Hancock. This made the Democracy mad; and, while Gen. Hancock received 41,376 majority in this City, Wm. R. Grace, for Mayor, received only 2,914 majority, and Chas. H. Truax, for Superior Court Judge, 2,918 majority. Had it not been a Presidential year popular dis-

gust at the two Bosses and their political lottery would have recorded a majority against their nominees of at least 25,000; for there are enough independent Democrats in the metropolis to bury Bosses and Bossism out of sight at any time.

LETTER LI.

CRISIS IN THE CAREER OF A REPUBLICAN BOSS—ROSCOE CONKLING'S JEALOUSY OF JAMES G. BLAINE AND HIS FIGHT AGAINST PRESIDENT GARFIELD — UNEXAMPLED QUARREL OVER POLITICAL PATRONAGE—CONKLING'S MANŒUVRES TO BOSS AN ADMINISTRATION—THE PRESIDENT'S DETERMINATION TO "SIT DOWN UPON" A WOULD-BE DICTATOR—CONKLING'S APPEAL FOR VINDICATION A DISMAL FAILURE—ASSASSINATION OF PRESIDENT GARFIELD—CULMINATION OF VIOLENT POLITICAL EXCITEMENT—VICE-PRESIDENT ARTHUR TAKES THE OATH AS GARFIELD'S SUCCESSOR.

MY DEAR DEAN:

Of all Bosses who during the last thirty years have held a place in the public mind, and who fancied that, if they did not own, they at least held a heavy mortgage on the people of this City and State, Roscoe Conkling, a bold and dashing politician of the Radical school, was, perhaps, the most positive and domineering, as he was the most magnetic. Conkling, who was related by marriage to Horatio Seymour (an ex-Governor of this State, and an eminent Democrat, to whom I have before alluded), represented for many years with distinguished ability the Utica Congressional District of this State, in the Federal House of Representatives, until advanced to a seat in the United States Senate, soon after which he assumed the leadership on the Republican or Radical side, and developed into a Boss of the first magnitude. He did not, as a leader, possess the practical ability of either Wm. M. Tweed or John Kelly; but, arrogant and imperious as the last-named gentleman had become in the latter part of his career, in the rôle of dictator he was eclipsed by Roscoe Conkling.

posed that the acceptance of the portfolio of Secretary of State meant Blaine's retirement from active politics for four years; whereas now the Cabinet chief was grasping one of the most important appointments for partisan purposes within the gift of the President. This move Conkling determined to resist.

By formal resolution, the next day, the New York Legislature endorsed the President's nomination of Robertson for Collector of the Port of New York, and sent it by telegraph to Conkling, who seemed at first astonished, but afterward laughed, as if it were a piece of rare humor designed for his especial enjoyment. When he had finished looking at the telegram, he slowly folded it, wrote a brief note, and sent the two to presiding officer Arthur who, in turn, smiled at the telegram and chuckled over the note. The telegram being returned to Conkling, he showed it to Senator Platt, who, as a new member of the Senate (having taken his seat in the month of January, 1881,) was regarded as a modest and unobtrusive adherent of Conkling, his senior associate. But when Conkling began to realize that a majority of the newly-elected Republican Senators were friends of Blaine, he became not a little uneasy lest that gentleman might induce them, by a majority vote in a caucus, to relieve Conkling's Committee on Commerce and Navigation of further consideration of the Robertson nomination, and thus get it into Executive session for action by the Senate. What made him feel still more troubled was the fact that Secretary Blaine had already secured the appointment of a friend, in the person of Wm. E. Chandler, as Solicitor-General of the United States,—an official who had supervision of all the various bureaus of customs and claims, and could overhaul the Federal Courts, the offices of all United States District Attorneys and Marshals, and investigate all suits involving National Banks. So if Blaine should succeed in getting the Robert-

son nomination confirmed, Conkling's position as Boss would be precarious indeed.

Conkling then made up his mind that he had serious work to do, and his first step was to work on the President through Senator Allison, for whom Garfield had very high respect, and endeavor to secure a recall of the nomination of Robertson, on the ground that his confirmation would split the Republican party in the State of New York instead of helping it, and its influence would consequently be damaging. But Conkling did not make any headway in that direction. In the meantime, Blaine began to work his wires, and the idea gradually dawned upon Senators that it was not a proper thing for the Chairman of a Committee to "pocket" a nomination, with the determined purpose of having no action taken on it. As the President felt assured that a majority of the new Senators would stand by him in his recognition of Blaine, and believing also that nearly if not quite one-half of the old Republican Senators were similarly disposed, he set on foot a plan to more firmly secure the co-operation of Democratic Senators, by promises of the confirmation of persons to office throughout the South whom they desired. President Garfield no doubt realized that such a course of action would alienate Conkling, but, as it was apparent to him that that gentleman would not be friendly unless he could have everything his own way, the President had decided to "let the break come."

Senator Conkling then tried to outflank the President. He started into bargainings with the Southern Senators, telling them it was at the instigation of the most objectionable of the Southern "carpet-baggers" so-called, that Wm. E. Chandler had been appointed Solicitor-General of the United States, and as such would have the supervision and control of the judicial machinery of the Union; that Chandler would be especially charged with the execution

of the Enforcement, Election and other laws theretofore invoked in aid of the prosecution and persecution of citizens of the United States for alleged political offences; in fact, to use his own words, he avowed that "The appointment of Chandler was simply a proposition to organize hell in the Southern States, and to reopen sectional excitement in its worst form." The New York trio—Conkling, Platt and Arthur—hoped to get Robertson rejected by first voting to reject Chandler; claiming that it was a matter of very little concern who sat at the Customs desk in New York and received the revenue, but that it was a matter of grave public interest that a "desperate partisan like Chandler, a fanatical tool of sectional agitators, should be prevented from having such sweeping opportunities as the position in question would afford him to gratify his thirst for the persecution of the Southern people." Conkling was very industrious in presenting these views to Southern Senators, and even offered to secure for them one or two Chairmanships of Committees through presiding officer Arthur, if he could be assured of their co-operation in his efforts to defeat such unwise nominations as Chandler and Robertson.

At this crisis, the New York *World* thought it proper to sound a note of alarm to Southern Senators, which it did in its editorial columns, on April 1, 1881, in these words:

"If any Democratic Senator is thinking only of New York politics, and of the mere party relations of the pending question of Presidential nominations, the Democrats of New York must frankly tell him that nothing but injury to the Democracy of New York has come or can come of coalitions with Senator Conkling. The past is eloquent on this subject. Such coalitions are necessarily demoralizing and degrading to all parties to them. Such conditions can have no other basis than the spoils of office. Whether set on foot by Mr. Tilden, in 1873, or by Mr. Kelly, at a later date, Democratic coalitions with Mr. Conkling have benefited only the Republicans. Mr. Tilden finally came to grief through them, and so did Mr. Kelly; and what is more important, so did the Democratic party. The reorganized Democracy of New York City warns Democratic Senators, in Washington, to make no

coalition with President Garfield, or Secretary Blaine, or Senator Robertson. The Republican leaders defeated General Hancock by the use of money and partly by immoral coalitions with unworthy Democrats, in which Senator Conkling and Vice-President Arthur were the chief Republican conspirators. It is high time that the false lights which Senator Conkling displayed to certain Democratic Senators, and with the help of which the nominations of President Hayes were thwarted, should be understood, now that a fraudulent President is no longer in office. The chequered career of Senator Conkling should compel cautious people to inquire carefully into the evidence for any declaration which may be made by him as to President Garfield and his undertaking."

It may be proper to state, in explanation of this controversy between Conkling and the President, that the Federal Constitution puts the responsibility for nominations made to the Senate on only one man, the President, and holds him and only him responsible for the character and qualifications of the nominees. But Conkling desired an interpretation of the Constitution which would require that the President should first confer with Senator Conkling and Senator Platt, and, having received their consent to the nomination of any particular person for office in the State of New York, the President then "shall" nominate the person to whose nomination such Senators shall have so consented. A State cannot, as a State, interfere with and dictate the decision of the President in a matter which the Constitution has confided to his discretion. The State of New York can, through its Senators, vote to reject a nomination; but there the power of the State ends. Conkling's idea was that he carried the State of New York in his pocket, and that he was "a bigger man than Gen. Garfield"—in other words, that every Senator, he especially, was, in the affairs of his own State, the President's Boss. And realizing the fact that, as matters had now shaped themselves, the existence of the Republican machinery of New York State, as represented by Senator Conkling and Vice-President Arthur, was involved in the

defeat of Robertson as Collector of the Port, and finding that diplomacy had no effect, they determined to oppose that confirmation with all the powers at their command. So bitter was the fight on the part of Conkling that he threatened to open a campaign of personal defamation against Gen. Garfield, and Radical organs of "Stalwart" tendencies began to denounce the President's act in nominating Robertson for Collector, as "a great crime."

In his "rule or ruin" fight Conkling went so far that he endeavored to involve in it the local affairs of the City of New York. A Citizens' Committee had been appointed to ask the State Legislature, in order to secure a better condition of the public streets, that a bill should be passed conferring upon the Mayor of New York City all the power necessary for a consummation so much desired. The State Senate had promply passed the Bill, and Senator Robertson had taken an active part in its favor. Conkling then sent word to his "Stalwart" followers in the Assembly to resist this Senate Bill, hoping thereby to so hamper the demands of the metropolis for protection against disease and death from filthy streets, that its Republican representatives, worn out and weary from the opposition thus created, would, to secure his co-operation, join in his demand for the rejection at Washington of Senator Robertson's nomination as Collector.

On April 13 an attempt was made to get the Legislature to "take the back track" on its action approving of the appointment of Senator Robertson as Collector. A paper was prepared for the signature of members, addressed to the United States Senate, and reading as follows:

"We the undersigned Republican Members of the Legislature, believe the Members of the United States Senate are competent to act and decide upon such nominations as may be sent them for offices in this State by the President, without any regard to the resolutions purporting to have been adopted, or any instructions, by this Legislature."

The cunningly devised object of this move was to provide Senator Conkling with something to show that the Republicans in the New York Legislature did not consider the resolution previously adopted of any account, or worth noticing. But this retrograde movement was not much relished even by Conkling's warmest supporters, and it was not a success.

As the situation of affairs had "dead-locked" the United States Senate, at a caucus of Republican Senators a committee was appointed to ascertain if it were not possible to bring about a better condition of things. This committee waited upon the President, told him that Conkling had given them to understand that his constituents earnestly desired the withdrawal of Robertson's nomination, a compliance with which desire, they believed, would break the existing "dead-lock;" and asked him if it would be embarrassing to him to withdraw Robertson's nomination, so as to have all the other nominations, long "hanging fire," confirmed. The President replied, with emphasis, that "No such proposition could be entertained;" and the committee respectfully withdrew. When Conkling was advised of the President's determination to have the Senate take action upon the nominations, either by confirmation or rejection, and that there was to be no change of base on Garfield's part, as up to this time the Senator had confidently expected, Conkling informed his friends that war had now begun in earnest; and that he intended to prove the President "a colossal liar," in having lied to himself and to Arthur and to Platt, in New York City and elsewhere.

A political crisis had now been reached. Realizing, from all he could learn, that Conkling was determined to fight him to the bitter end, the President made up his mind to sit heavily down on the Senator, and on May 5 he sent a communication to the Senate, withdrawing from that body

the nominations of all of Conkling's friends, hitherto sent in, and standing firmly by the nomination of Robertson. A reporter thus describes the scene in the Senate chamber:

Mr. Conkling was reading a letter when the President's clerk arrived with the Executive communication. Mr. Arthur, the presiding officer, opened it, and after the usual signals had passed between him and Mr. Conkling, the latter became more attentive to his letter, and when Mr. Arthur passed the communication forward to the Reading Clerk, and it was read by him, the color left Mr. Conkling's cheek, but he held on to his letter, and did not look up. Senator Platt hung his head. Senator Logan shut his jaws tight, and looked straight ahead at nothing. Senator Hoar smiled, and, being caught at it, blushed and grew watery in the eyes; and Vice-President Arthur tore an envelope to pieces on his lap. Not a sound was made by anyone, and the communication took the usual course.

The anti-"Stalwart" Senators were in high glee over this action of the President. He could not, they said, retain party respect for his Administration, after taking so firm a stand, by adopting any other course. His answer to presumptuous dictation commanded their admiration; and the presenting of a resolution taking Robertson's nomination away from Conkling's committee was again discussed by Senators, while Conkling gave out that "the Administration had plunged itself into a hopeless war, in which Garfield's second term aspirations would be cut off." The Senator's sulkiness was augmented by the announcement that a Democratic Senator had received a letter from Horatio Seymour (Conkling's brother-in-law, as I have before stated) urging in strong terms the confirmation of Robertson's nomination.

Republican Senators then began to assure the President of their support, and Conkling, who, it now leaked out, had arranged a combination to confirm all nominations, save that of Robertson, on the very day the President check-mated him, began to make new overtures for personal aid to Democratic Senators. The President, in the meantime, having boldly thrown down the gage of war, let it be

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THOMAS C. PLATT.

understood that, "while he expected to give and take only fair treatment from Democrats, those Republicans who had banded against him could reach him thereafter only through letters of introduction."

Now came Conkling's master stroke. Believing that he was beaten in his conflict with the President, he had one more card to play; and as desperate diseases require desperate remedies, he addressed to the presiding officer of the Senate, at the session held on the morning of May 16, this communication:

SENATE CHAMBER, WASHINGTON, D. C., May 16, 1881.

SIR:—Will you please announce to the Senate that my resignation, as Senator of the United States from the State of New York, has been forwarded to the Governor of the State.

I have the honor to be, with great respect, Your obedient servant,

ROSCOE CONKLING.

To Hon. C. A. ARTHUR, Vice-President.

At the conclusion of the reading of the foregoing communication a reporter says: "Senators looked about; some smiled; others scowled; others twitched their mouths contemptuously; and others, chiefly Republicans, seemed utterly perplexed." The silence, however, remained unbroken, and Gen. Arthur handed over to the Reading Clerk another envelope, which contained the announcement of Senator Platt's resignation in these words:

SENATE CHAMBER, May 16, 1881.

To Hon. C. A. ARTHUR.

SIR:—I have forwarded to the Governor of the State of New York my resignation as Senator of the United States for the State of New York. Will you please announce that fact to the Senate.

With great respect, Your obedient servant,

T. C. PLATT.

Silence followed the reading of this letter also, and the Senate held itself in readiness to hear perhaps the announcement of Gen. Arthur's resignation of the Vice-Presidency;

but when it became evident that no such climax was forthcoming, there was great commotion on the floor. Senators wheeled their chairs together for comment and speculation. Few of them were excited, but all were manifestly interested to the point of forgetting the requirements of order, and the buzzing and confusion lasted several minutes. Soon thereafter the Senate took a recess.

The general interpretation of the resignations of Conkling and Platt was that, when a Senator from the State of New York is no longer Boss, when he can no longer control the patronage of an Administration of his own party in his own State, he is of no further use as a Senator. Many of the friends of Conkling regarded his action as "a puerile piece of business." But the die was cast, and nothing now remained for Conkling and Platt but an appeal to the New York State Legislature to change its mind, eat its own words, re-elect the indignant representatives, and thus give President Garfield a cut direct for presuming to run counter to Boss Conkling, who remained in Washington after this "greatest effort of his life;" but his associate Senator, Platt, having discharged his shaft of defiance, took the first train to New York.

The scene now shifts to Albany. The session of the State Senate, on the morning of May 18, was duly opened with prayer, but there was a noticeable restlessness on the part of members, who seemed to be on the tip-toe of expectation, and the proceedings were several times interrupted by Senators rushing out to the ante-room for telegraph dispatches. It seemed as if the entire Republican side of the Senate was in a state of fermentation. Just about half-past one o'clock, when the Senate was in Committee of the Whole on "a Bill to Facilitate the Extension of Bonds of Public Officials," a telegraph boy handed a message to Senator Robertson. Observing this, there was a scramble of Senators toward Robertson's seat, one of whom, Sena-

tor Woodin, taking the telegram from Senator Robertson's hand, waved it in the air, which was accepted as a signal that the nomination of Robertson as Collector of the Port of New York had been confirmed at Washington; and among the "Half-Breeds," (as the anti-"Stalwart" Republicans were styled) this confirmation was regarded as "the last nail in the coffin" of Boss Conkling, which indeed it proved to be. All further business in the Senate ceased for that day, an adjournment of the session was voted, and there was a general jubilee in which Senators and spectators took part.

It is reported that President Garfield was writing at his desk when a dispatch from the Senate Chamber was handed him, announcing the confirmation of Robertson; that he coolly glanced at it, and resumed his work, simply saying he "had expected no other outcome." In Albany there was a good deal of bluster on the part of Conkling's friends, mingled with threats of what he was going to do—"that he was going back to Washington to take the roof off the Administration Ring," and many similar remarks. But he did nothing of the kind.

Conkling, Platt and Arthur joined in an earnest appeal to the Republicans of the State, claiming that their action regarding the nomination of Robertson was entirely in the interest of party harmony, and they felt that they deserved a vindication at the hands of their party. The party, however, took a different view of the matter; for, after an eight weeks' bitter contest, commencing on May 31 and extending to July 22, the balloting ended in the election of Warner Miller to fill the vacancy caused by the resignation of Platt, and of Elbridge G. Lapham to fill the vacancy caused by the resignation of Conkling. Platt gave up the fight on the first day of July, when Warner Miller was elected; but Conkling hung on to the last day of the contest, when twenty-six of his legislative friends,

realizing Conkling's utter defeat, absented themselves and did not participate in the last balloting.

President Garfield did not long survive this contest with Senator Conkling. When about setting out for a trip to New England, on the morning of July 2, 1881, he was shot by one Charles Guiteau, who claimed to be "a Stalwart of the Stalwarts." The President was passing through a waiting-room of the Baltimore and Potomac Railroad depot, at about nine o'clock, in company with Secretary Blaine, when the assassin pulled the trigger of his pistol. The President lived, however, to see his would-be Boss defeated, for he lingered until September 19, when, after many painful and unsuccessful efforts to remove the assassin's bullet had been made, he departed this life—the victim of an insane fanatic.

Upon the night of the day on which the President expired, Vice-President Arthur took the oath of office as President in this city, and straightway departed for Washington. It was a critical time, a period of intense anxiety throughout the country, and no one had ever assumed the duties of that position amid such apprehensions, because of the prevalent exciting conditions. Perhaps I cannot give you a better idea of the situation at that time than by reproducing the remarks recently made by Elihu Root, of this city, on the occasion of the unveiling of a bronze statue recently erected in honor of President Arthur on the north-east corner of Madison Square. Mr. Root, spoke in part as follows:

"No greater peril ever menaced the Constitutional Government of the United States than that which confronted the American people when President Garfield fell by the hand of Guiteau on the 2d of July, 1881. External assaults consolidate a people and stimulate their loyalty to their institutions. But when Garfield fell the danger came from within. The factional strife within the dominant party, which resulted in the nomination of President Garfield, had been of unprecedented bitterness. Vice-President Arthur had been selected from the defeated faction. He was one of its most conspicuous and active leaders.

"Stilled for a time during the canvass, the controversy was resumed with renewed vigor and more violent feelings in the early days of the new Administration. It extended through every State and City and hamlet. Suddenly the adherents of the murdered President saw the powers of government about to be transferred to the leader of their defeated adversaries, and that transfer effected by the act of an assassin. Many of them could not instantly accept the truth that it was the act solely of a half-crazed and disappointed seeker for office; many of them questioned whether the men who were to profit by the act were not the instigators of it. It seemed beyond endurance that Garfield's enemies should profit by his death.

"Dark suspicions and angry threatenings filled the public mind, and for the moment there was doubt—grave doubt—and imminent peril that the orderly succession of power under the Constitution might not take its peaceful course. Under such conditions, acting under the telegraphed request of the Cabinet, in order that the first step might be safely passed, Arthur took the oath of office at his home, in Lexington avenue, in this City, at midnight on the night when Garfield died, and entered upon the solemn duties of the Presidency."

On a preceding page I have spoken of Conkling's resignation of his position as United States Senator as "the greatest effort of his life." It had become the fashion among his admirers on the press to style every speech he made "the greatest effort of his life," and the phrase became a by-word and applied to his every act. Once, on Mr. Conkling's return from Europe, the Republican politicians of the metropolis determined to give him a reception at the Fifth Avenue Hotel, and people generally looked forward with a good deal of interest to the speech he would deliver on the occasion. At that period the Republicans were split up into even more factions than the Democrats of this city usually are, and hated each other more intensely; and of course it became a matter alike of public news and political importance to know just what particular faction Conkling would incline to, as that particular faction would then be regarded as "the Simon-pure" brand. So every Republican politician of any note in town gathered in and around the Fifth Avenue Hotel on the night in

question. The reception was a large one, and Conkling talked about European travel, and how this country compared with other countries, and how glad he was to breathe the air of New York again, and all that sort of thing. But he said nothing new, nothing worth quoting, nothing at all definite about anything or anybody. The speech was very disappointing. From any other man it would have fallen flat. People who were not politicians thought that "Our Own Roscoe" (as he was designated by his admirers) was failing. But people who were politicians said to one another that Conkling had indeed made, on this occasion, "the greatest effort of his life"—the effort to say nothing at all about New York politics, not to commit himself to any one faction of the Republican party. It was the least eloquent, but perhaps the most effective, speech Roscoe Conkling ever made; a speech the magic of which lay not in what was said, but in what was not said.

Conkling never retrieved his status of Boss. Settling down to the practice of law in New York City, he, in 1888, met a fate almost as tragic as that of Garfield. Fighting a pathway through the snowdrifts of the "Great Blizzard" of March of that year, the strain and exposure resulted in a cerebral abscess, from which he died.

LETTER LII.

SEVERE COMMENT ON JOHN KELLY'S EARLY CAREER—ATTEMPT OF DISSATISFIED DEMOCRATS TO CAPTURE THE TAMMANY SOCIETY—THOSE WHO FIGURED AS "MALCONTENTS"—THE COMMITTEE OF ONE-HUNDRED MOVEMENT—SUCCESSFUL FORMATION OF A NEW AND VIGOROUS DEMOCRATIC ORGANIZATION—ITS DÉBUT AT A STATE CONVENTION—TAMMANY DELEGATES AGAIN OUT IN THE COLD—TRIUMPH OF THE NEW YORK COUNTY DEMOCRACY.

MY DEAR DEAN:

The "hot shot" poured into Boss Kelly after the defeat of Hancock was not his first experience in that kind of warfare. In 1875, during the Mayoralty of Wm. H. Wickham, Kelly, having surrounded himself with a coterie of satellites not generally liked, managed to estrange from the Tammany organization John Morrissey, Benjamin Wood, editor of the New York *Daily News*, and a number of prominent men, who found refuge in the Irving Hall organization; and a very bitter contest ensued that Fall, the Irving Hall and German Democratic organizations and the Republicans combining against Tammany Hall. The contest between John Morrissey and John Fox for Senator, in Tweed's old district (to which I have already referred), was a part of that very energetic fight. I now recur to it only to give you a sample of the invective used against Kelly, at that time, by the New York *Times*. I quote from the issue of that journal for October 20, 1875:

"About the same time, and in adjoining City districts, two Bosses entered upon public life. While Tweed, as a young man, was learning to make chairs in Cherry street, Kelly was being taught grate-setting in Grand street. While Tweed was amusing himself as a runner with Big Six Fire Engine, Kelly was Captain of the Carroll Target Guard.

Tweed led fire-laddies of the Seventh Ward at Primaries, and Kelly dragged his target-shooters about the Sixth and Fourteenth Wards, upon the eve of elections, from Thomson's Hall, at the corner of Grand and Elizabeth streets, to the Bear Tavern in Bayard street. Tweed exercised his faculties in the arts which afterwards led to the foundation of the Americus and Blossom Clubs, while Kelly engaged in muscular exercises, such as he has since denounced when practised by John Morrissey. Thus each early trained himself to command the services of 'butt-enders' and 'plug-uglies,' as the rowdies of their time were called. Both Tweed and Kelly entered the Board of Aldermen about the same time. About the same time, too, they went to Congress. They ran for Sheriff within a few years of each other's candidacy. Tweed was defeated. Kelly was elected. While Kelly was making bills as Sheriff, Tweed was fraternally auditing them in the Board of Supervisors. Tweed became the Tammany Boss, and fell a victim to his greed for power and plunder. Kelly succeeded him. But here the comparison ends, for Kelly's fraudulent claims were covered by the Statute of Limitations, while Tweed was caught and offered up as a scapegoat.

"From the beginning of his public career to the present time, Kelly has had the very lowest ideal of the qualities required for the public service. He advanced James Watson from a subordinate position in the Sheriff's office to one of trust under himself, then to the position of County Auditor, where he had the expenditure of millions of public money, though he knew the man had been guilty of embezzlement and fraudulent bankruptcy. Mayor Havemeyer was hardly in office when Kelly applied for an appointment for his friend Richard Croker, a rowdy and election bully of well-established fame; while O'Callaghan, once indicted for frauds on the revenue, is Superintendent of Lamps and Gas—all by Kelly's orders. Everything shows his fondness for advancing the lowest class of politicians. And his standard of official honesty is as low as his standard of official responsibility. He had admitted that, during his first term as Sheriff, there was no law authorizing him to include convictions in the Police Courts in the returns sent to the Secretary of State. Yet he did include and charge for them, thereby robbing the city of over thirty thousand dollars. He charged, at one time, double the rates for conveying prisoners to and from the Island; at another, one hundred and thirty-three per cent. more than legal charge. He charged for some eleven thousand vagrants committed to the Work House and Juvenile Asylum, a fraud upon the Treasury as clear as any bogus bill concocted by his friend Watson, and 'put through' by his former ally, Tweed."

But to return to the condition of affairs at the beginning

of the year 1881. As I have before mentioned, a large number of citizens who had been life-long Democrats, while having personal respect for Kelly, had become weary of his unsuccessful management as a leader, and were especially disgusted with existing methods in Tammany Hall, which so entrenched the Boss that it seemed impossible to dislodge him, except through some such revolution as that which, in the political upheaval of 1871, unseated Tweed. Among the Democrats referred to were William C. Whitney, Abram S. Hewitt, Robert A. Van Wyck, Edward Cooper, John R. Voorhis, Chas. H. Truax, present Supreme Court Judge, ex-Comptroller Andrew H. Green, and others, who had set their minds upon a practical extinction of the Assembly District and General Committee Bosses, through whose instrumentality a Grand Mogul was made Boss Supreme. The Tammany system, by which, as I have shown in one of my early letters, three or four men at a single poll in an Assembly District Primary could represent the votes of all the Democrats in the whole Assembly District, was known to be the mainspring of the evils of Bossism; and as a result of numerous conferences of committees appointed at a mass convention of Democrats held at Cooper Union, the formation of a new Democratic organization, under the auspices of a Committee of One Hundred was planned, and secured at once the sympathy and earnest co-operation of those Democrats who were dissatisfied with existing conditions in Tammany Hall. The system of Primary elections in each election district, suggested by the Committee of One Hundred, was regarded as in every way preferable to the methods of Tammany, because it placed within the hands of the people all the machinery connected with the management of the organization, including control also over the nominations at its command. Its plan, briefly, was this: A Primary was to be called, after a public enrollment had been had of all Democratic voters in the

district who chose to interest themselves in the work. To this Primary all Democrats were to be invited, and they were first to organize themselves, and appoint from their number three inspectors of election. Then every Democrat, who desired to vote for some one to represent him as a delegate in the General Committee of the organization, was invited to write his name in a book provided for the purpose, and opposite thereto the name of the man he desired to vote for. The voters who responded to the call and signed the book on the evening in question were to constitute the Election District Committee, and would thereafter, for the ensuing year, elect all delegates to Nominating Conventions. This was the basis of the new organization; and as it struck at the root of Bossism—at that assumed power of perpetuation which dominated Tammany Hall—the plan and the movement at once became popular.

Among the active Democrats who participated in perfecting the organization, besides those I have already named, were Hubert O. Thompson, Oswald Ottendorfer, John E. Devlin, Robert B. Nooney, Peter B. Olney, Jordan L. Mott, John Henry McCarthy, John D. Crimmins, Edward L. Parris, Robert B. Roosevelt, E. Ellery Anderson, Dennis Burns, Henry Murray, Townsend Cox, Henry Clausen, Wm. Cauldwell, L. G. Garretson, David Murphy, Charles L. Beardsley, Thomas Costigan, William Pitt Mitchell, Maurice J. Power, Hans S. Beattie, and others.

The Jeffersonian character of plan of the new organization, which was called the New York County Democracy, can be best illustrated by comparing it with what might be designated the Hamiltonian or Federalist plan of organization, which aimed at centralizing power in a few persons, and of which Tammany Hall had so long been a conspicuous example. Nothing akin to the close corporation of Tammany Hall—the Committee on Organization,

of twenty-four members—was permitted under the County Democracy plan; and such work as was done by the Tammany Committee on Organization was to be entrusted to a Committee consisting of six hundred and seventy-eight members, with no possible opportunity for central manipulations, and with ample facilities for the Democrats of every small neighborhood to participate in the full and final arrangement of the machinery of party government and party nominations.

Among the notable secessions from Tammany Hall at the beginning of 1881 were the representatives from twenty-seven election districts of the Fourth Assembly District, who, at the house of then Assemblyman (now Judge) J. H. McCarthy, 283 Madison street, formed the Thomas Jefferson Association of the Fourth Assembly District, and elected Alderman Thomas Sheils its President. But, before sundering their relations with the old Wigwam, a large number of Tammany men desired to bring about a reformation in the old organization; and as its fountain-head was the Tammany Society, a movement was set on foot, early in the month of April, 1881, to turn out the old Sachems and elect a new Board at the annual election then close at hand. A meeting was accordingly held at Teutonia Assembly Rooms, on Third Avenue, within a stone's throw of Tammany Hall, which was attended by (among others) Judge McAdam, Robert A. Van Wyck, ex-County Clerk Loew, W. C. Traphagen, Malcolm Campbell, Civil Justice Timothy J. Campbell, ex-Assemblyman Ambrose H. Purdy, ex-Judge Barbour, ex-Senator Chas. G. Cornell, Capt. Isaiah Rynders, John T. McGowan, ex-Alderman Tuomey, F. F. Marbury, ex-Senator Jacob Gross, Aldermen Sheils, Cavanagh and Murphy, ex-Judge Koch, R. B. Martine, Col. Gilon, ex-Coroner Flanagan, Douglas Taylor, Major D. S. Hart, John K. Perley, Park Commissioner Olliffe, John Van Glahn,

McQuade, Albert Cardozo, John J. Gorman, Edward Kearney, Augustus Schell, Chas. H. Haswell, Sidney P. Nichols, Patrick G. Duffy, Henry D. Purroy, Henry A. Gumbleton, John A. Flack; *Secretary*, Joel O. Stevens; *Treasurer*, Arthur Leary; *Sagamore*, Wilson Small; *Wiskinskie*, John D. Newman. At the meeting called by Mr. Kelly a special committee was appointed to make all necessary preparations for the election, and to see that the machinery of the institution was put in good working order.

Never had there been so large a gathering at any previous election of the Society. Seldom were more than one or two hundred votes cast on such occasions; sometimes very much less. At this time more than eight hundred members were present, and nearly seven hundred and fifty votes were cast. The *modus operandi* of voting was as follows: At the left of the Grand Sachem sat the Treasurer, behind a large cash-box, and at his left was the Secretary with his book of membership. Toward this table moved a line of prospective voters which, at seven o'clock, reached across the meeting-room in Tammany Hall and down the stairway. As the member at the head of the line reached the Treasurer's table, he gave his name and handed in a dollar as his poll-tax, under the rules. In return, after his name had been verified in the book which the Secretary held, he received a ticket with his name and a receipt, and this was his voucher for voting.

To be forewarned was to be forearmed, and it was found that a large number of the supporters of Kelly had been provided with tickets in advance, by the obliging Secretary, who was himself a Kelly candidate for Sachem. The first part of the "paying line" was mainly made up of other Kelly men, and to them vouchers were issued with great celerity. Further back in the line were the opposition voters, and these were delayed by the provoking slowness of the Secretary in "finding their names." On the

other side of the Hall was the line of voters already supplied with vouchers, who went to the ballot box, which was in charge of three tellers; and this line was of course kept filled by fresh accessions. Among the voters were Corporation Counsel Whitney, Commissioner of Public Works Hubert O. Thompson, Recorder Smyth, John McKeon, ex-Mayors Cooper, Tiemann, Gunther, Smith Ely and A. Oakey Hall, Congressman Hewitt, Wilson G. Hunt, John T. Agnew, August Belmont, Oswald Ottendorfer, Emanuel B. Hart, and Thomas F. Jeremiah. Wm. M. Tweed, Jr., cast an open ballot for the "machine" ticket. The machine ticket was marked by a large, peculiar, zig-zag "K" on the outside, printed in blending colors of red and blue so that there could be no imitation of it. The balloting was kept up until nearly eleven o'clock, shortly after which Grand Sachem Schell announced that an informal count had been made, and asked Mr. Gunther K. Ackerman, one of the tellers, to declare the result. Mr. Ackerman thereupon announced that seven hundred and eleven ballots had been polled, and that all the candidates on the ticket headed by Mr. Kelly had been elected, the average majority being about fifty votes.

The ballot-box remained over night in the possession of Grand Sachem Schell, Scribe Stevens and Treasurer Leary (who constituted another "returning board" after the fashion of Louisiana in 1876). At three o'clock the next afternoon those worthies began an official count of the ticket, and an hour afterwards announced as the result that the "machine" ticket had been elected, the majorities for the individuals named on it ranging from seventy-nine to one hundred and fourteen votes.

Then followed charges of an unfair election, and talk by that irrepressible litigant, Nelson J. Waterbury, of taking the matter to Court to declare the election void, parties being willing to swear that there had been repeating, and that

a unanimous vote, decided that the gentlemen now occupying seats in the Convention, on the preliminary roll, and known as the New York County Democracy delegates, were entitled to seats by virtue of their regularity as delegates from the County of New York, and I have been instructed by the Committee to present this report to the Convention."

The report was adopted unanimously, amid much enthusiasm, the Tammany delegates again being declared out of the Democratic fold, as they had been at the National Convention at Cincinnati, and of course there was plenty of swearing; but there was no "bolt." While sullenly submitting to the edict, the Tammany and Irving Hall organizations determined to join forces in making County nominations, and thus fight their young and successful rival, the County Democracy, to the bitter end.

Commenting upon this outcome of the State Convention, the New York *Herald*, in its issue of October 13, spoke as follows:

"It is just one month since Sachem John Kelly, stripped to the buff, streaked with red ochre, decorated with cock-feathers, brandishing a tomahawk, and howling like a dervish, proclaimed to what he called 'a council of braves,' in the Tammany wigwam, that 'he should like to see the Democratic State Convention which would dare to ignore the pretensions of Tammany Hall to represent the Democrats of this City in the councils of their party.' Well, if Sachem Kelly is to be taken literally at his word, he ought to be the best pleased man in the whole metropolis, for during the last two days he has been favored with the sight of a Democratic State Convention, which not merely has ignored that pretension, but has actually kicked him and his followers out, without fear of the war-paint, cock-feathers, tomahawk and howlings. But, to judge by the confessions of the Tammany delegation on their return from Albany, and by the tone of the organs through which Sachem Kelly communicates with the public, the pleasure he has experienced is not so great in reality as it was in anticipation. He does not seem to 'like' it, in spite of his challenge for it to happen. * * * Tammany Hall and the Democratic party have parted company, by virtue of a sentence of excommunication pronounced at Albany, without one dissenting voice among the four hundred delegates representing the sixty counties of New York, and the whole political history of the State does not contain a record of a more respectable day's work."

At the ensuing election, in November, Tammany and its

LETTER LIII.

INSECURITY OF A SURE THING IN POLITICS—THREE COOKS WHO SPOILED THE BROTH—HOW GROVER CLEVELAND CAME TO THE FRONT AS A GUBERNATORIAL CANDIDATE—PRESIDENT ARTHUR AND ROSCOE CONKLING UNCONSCIOUSLY PLAY INTO HIS HAND—REPUBLICAN REVOLT AGAINST PRESIDENTIAL BOSSISM—MAYOR GRACE AND SOME OF HIS PECULIARITIES—ALLEGED MISREPRESENTATIONS TO JAY GOULD AND WHAT THEY COST HIM.

MY DEAR DEAN:

The Democratic State Convention which assembled at Saratoga, in September, 1882, was a somewhat unique affair, and in its result rather remarkable. At this gathering, the Democracy of the metropolis again presented a double delegation—one from the County Democracy and one from Tammany Hall; but as this Convention was the prelude to a gubernatorial election, and as there was a general desire to recapture the State from the Republican party, in order to give encouragement to the Democracy of the Union for the Presidential campaign of 1884, the County Democracy, while having the stamp of "regularity," for the sake of harmony and success readily acquiesced in a recognition of Tammany Hall representation, and agreed to a division of delegates, which of course avoided the usual contest. The strife for the gubernatorial nomination was, however, of a most animated character. Roswell P. Flower, of New York City (who afterwards filled the position of Governor and who recently departed this life), was an aspirant at that time for the nomination, and his champion was ex-Sheriff James O'Brien, who had, indeed, been on a Flower "jamboree" during almost the entire

Summer season, at Saratoga. Waldo Hutchins, of Westchester county, was also a candidate, and one of his principal advocates was ex-Senator Cauldwell, who though by the provisions of the Act of Annexation of 1874 made a resident of New York City, was a constituent of Hutchins' Congressional District. Grover Cleveland, Mayor of Buffalo, was also an aspirant, and back of him was an enthusiastic delegation from Erie county. Gen. Slocum, of Brooklyn, was the favorite of the Kings county delegation. Allan Campbell, Comptroller of the City of New York, was put in the field by the County Democracy. But the Tammany delegates had no caucus candidate, it being understood that, until matter had "settled down to a simmer," the delegates were to scatter their votes, for policy's sake.

This was the situation of affairs, when the chairman of the Convention announced that "nominations for the office of Governor of the State of New York were in order." But there is a little inside history, prior to that particular moment which causes me to remember the occasion with some interest. Waldo Hutchins had represented the Westchester District for four years, in Congress, with marked ability, and so popular had he become at the Federal Capital that he was being talked of by leading men as an available candidate for the Presidency. The Southerners recognized the fact that New York was the pivotal State in a Presidential canvass, and, in order to win the next battle, Waldo Hutchins, a Democrat, with Liberal Republican antecedents, who had been a life-long friend of Horace Greeley, was regarded the most available man who could be nominated; but, to insure his obtaining that preference, it was suggested that he should "win his spurs" in a contest for Governor of his State. This position of affairs was generally understood among leading politicians throughout the Empire State, in touch with the wires from Washington. And it was because of this understanding, that Tammany

Hall, through the influence of Augustus Schell (Hutchins' old law partner) and John Kelly, had no candidate at the opening of the Convention. The County Democracy leaders also were favorably disposed toward Hutchins, and only used Allan Campbell's name to cloak their purpose until the proper time for action. Hugh McLaughlin, of Brooklyn, had also been consulted, and his disposition was very friendly to Hutchins; but, just at that time, a most violent attack had been made by his political opponents upon Gen. Slocum, then a Commissioner of the Brooklyn Bridge, and, rather as a vindication of him than a serious desire to secure him that nomination, the Kings county delegation resolved to stand by General Slocum as their choice for Governor. Grover Cleveland, as a candidate, was "in for keeps," as the boys say. A big brass band and between one and two hundred gentlemen, with high drab-colored hats and small walking sticks, had come all the way from Buffalo to "holler for Cleveland," their popular Mayor and ex-Sheriff, and they knew "No North, no South, no East, no West, no nothing" but Cleveland. But it is nevertheless true that, after personally scanning the situation prior to the opening of the Convention, their favorite candidate took his departure for Buffalo, feeling pretty well assured that the nominee would be Waldo Hutchins. Roswell P. Flower, who had had the Presidential "bee in his bonnet," for some time, and who regarded the Governorship as a stepping-stone, was also in the race to stay. Indeed, so lively a campaign had he and his friends made, that the day before the balloting commenced, all who were not within touch of the inner circle were confident that Flower would carry off the prize, basing their estimates upon the statements of his enthusiastic supporter, James O'Brien.

The evening before the second day of the Convention, on which the balloting for the nomination was to take place, Daniel Manning, chairman of the State Central Committee,

had a conference with Hutchins in regard to the platform to be adopted, seeming to take it for granted that he was to be the nominee; for everything pointed that way. This much was certain: Kelly would have nothing to do with Flower, as a candidate, because of his (Kelly's) antipathy to O'Brien, Flower's champion; and Thompson, the then leader of the County Democracy, sympathized with Kelly in that regard; and Kelly, just at that time, was not on friendly terms with Hugh McLaughlin, and therefore Gen. Slocum, as the nominee, was out of the question with him. But Kelly, who, for reasons stated, really preferred Waldo Hutchins as the nominee for Governor, did not regard it as good policy to evidence, at the start, favoritism for that gentleman, lest it might invite the antagonism of Hugh McLaughlin and others who had "bones to pick" with him.

This was the "layout of the cards," to use a sporting phrase, the evening before the nomination was made. At about midnight, a conference was held in Hutchins' rooms, at the Grand Union Hotel, and on "a count of noses" there were reported eighty-four votes for him, without any support from New York; and these eighty-four, with New York's seventy-two, and Kings county's forty-four, (which, it was thought, could be had when needed), were seven more than the one hundred and ninety-three votes necessary to secure the nomination. The number of votes allowed, on a liberal estimate, for Flower, was one hundred and thirty; and Cleveland's vote (confined to Erie and one or two other Western counties) was estimated at twenty-six. But, not long after Hutchins' friends, very much worn out, had retired, all feeling good over the prospect, Manning, chairman of the State Central Committee, the acknowledged political leader of the State, visited Hutchins' room and gave advice. This advice was, not to show his full strength on the first balloting, but to cast a gradually

increasing vote, which would draw to him the usual complimentary votes, given in the first and second ballots, and prevent these votes going to Flower. Hutchins asked Manning to accompany him to Thompson's room, and the three had a conference—a conference which, as the result proved, was a disaster to Hutchins' ambition. It was determined that Hutchins should start off with thirty-six votes, from the counties of Westchester, Queens, Richmond, Suffolk, Dutchess and Orange; or, ten more than the supposed strength of Cleveland. On the second ballot, he was to show a gain of twenty-five or thirty additional votes. On the third ballot, to have his full known vote cast—these votes being previously recorded, complimentarily, for local favorites. After the third ballot, a diversion was to be made in Hutchins' favor, by the withdrawal of Allan Campbell, and the thirty-six County Democracy votes were to be cast for Hutchins, which, it was believed, would put him ahead of Flower's vote; while the next ballot would secure him the thirty-six Tammany votes, and the Kings county delegates would, it was believed, then follow suit with forty-four additional votes.

This was the plan. But it is an old and true saying, that "There is many a slip 'twixt the cup and the lip." Hutchins' immediate friends, when informed, the next morning, of the programme he had consented to, did not favor it, but as he had agreed to it, and everything had been arranged, it was too late to alter it. When the Convention met and balloting was commenced, to the utter dismay of Hutchins' friends, the delegates from the counties of Queens, Richmond and Suffolk, not having been advised of the new plan, and still believing that the first ballot was to be divided up informally, had concluded to give a complimentary vote to their Congressman, Hon. Perry Belmont, who had especially requested such favor; while the delegates from Dutchess and Orange coun-

ties, also attacked by the complimentary fever, had concluded to extend the same courtesy to their then Senator, Homer A. Nelson. So, when the first balloting was completed, Waldo Hutchins had only thirteen votes—twelve from his own district, (Westchester), and the vote of Richard Croker, of the New York delegation. On the first balloting, John Kelly, to completely hide his hand—and regarding him at that time the least likely of all the candidates named to receive the nomination—voted for Grover Cleveland.

Never was there such a collapse in great expectations. Hutchins meant well, and Manning, perhaps, also meant well, as did Thompson, although it was asserted by some sagacious persons that Hutchins was slaughtered in the house of his friends. Having satisfied themselves with "a night-cap," Hutchins, Manning and Thompson at about four o'clock in the morning went to sleep, the arrangement of details as proposed being confided to a "confidential" Albany man, whom Manning could trust, or thought he could. But, either through design or neglect, he utterly destroyed the whole plan of action. The weakness of Hutchins' vote, on the first ballot, was regarded generally as "a change of base" in the programme of the State Central Committee, and in the hurly-burly which ensued, and the danger which all felt of the possibility of the nomination of "O'Brien's man," as Flower was designated, the Tammany delegates, following the lead of Mr. Kelly on the first ballot, voted on the second ballot for Cleveland. Then the County Democracy leaders got panicky, fearing that Kelly had "turned a corner" on them, and they changed their votes from Campbell to Cleveland. So it was Cleveland, instead of Waldo Hutchins, who was indicated as the "coming man" on the second ballot; and on the third ballot Cleveland was nominated. Hutchins, who had such positive assurances of success, the night before, was, through Man-

ning's interference, "side-tracked," and thus ended his political aspirations.

Having thus secured the nomination for Governor through "a piece of good luck," if nothing else—for, outside of the City of Buffalo, Cleveland was then comparatively unknown—he, through a blunder of the Republican leaders, had "greatness" thrust upon him. President Arthur, upon the advice of Conkling, for the purpose of defeating a renomination of Governor Cornell and of securing control of New York, in order to promote his second-term Presidential aspirations in 1884, induced his then Secretary of the Treasury, Judge Charles J. Folger, to accept a gubernatorial nomination, and the wishes of the President were complied with, so far as the Republican Convention was concerned. Apart from the political significance of this step, the defeat of Cornell was a labor of love to Conkling, who detested the then Governor. Conkling, who, like the great Irish statesman, Daniel O'Connell, was skilled in applying telling nicknames to his opponents, while in Albany on one occasion referred to Cornell, whose official residence was on the highest elevation in Albany, as "the Lizard on the Hill." But the attempt of the President to interfere with the affairs of the State, in seeking to dictate the nomination for the Governorship of New York of one of his Cabinet officers, so incensed the rank and file of the Republican party that they simply "sat down" on President Arthur, and sacrificed Judge Folger, one of the ablest, brightest, and purest men on the Republican side in the State of New York, just as President Garfield had "sat down" on Roscoe Conkling, when the Senator had attempted to Boss him. Grover Cleveland's majority over his opponent, Judge Folger, was nearly two hundred thousand.

You will thus see, my dear Dean, that the resentment of the American people against Bossism is not confined to

either party, when there is a fair chance to evidence that resentment at the polls. But, it is much more difficult to deal with Bossism in Tammany Hall, when the Boss is virtually landlord of the establishment and can "shut up shop" when a malcontent element presumes to show its head.

But now a word or two about Mayor William R. Grace. The first time I had the pleasure of meeting that gentleman was at the Presidential Convention, at Cincinnati, in 1880, when I found him actively engaged in a canvass to secure the nomination for President for his friend Judge Calvin E. Pratt, of Brooklyn, and I was not a little surprised to see that friend, a Supreme Court Judge of the State of New York, engaged in hustling around among delegates at the different hotels in the furtherance of his ambition. Judge Pratt, was a worthy and capable Judge, but he certainly lost his head when he became an aspirant for the Presidency. I think this was the first and last time—certainly the only time within my knowledge—that one aspiring to the high honor of a Presidential nomination thus publicly engaged in "booming his own boom."

Mayor Grace was one of those "betwixt and between" Mayors who were never very satisfactory to New York politicians. He was a compromise nominee in 1880, as I have shown in a previous letter, and he was credited with attempting to do "smart things." The story is still current concerning his effort, at one time, to "blow hot and cold" with Jay Gould, and it portrays something of the vindictiveness of one who occupied a position of much prominence in financial circles.

During the session of the Legislature of 1882—the year of the gubernatorial election to which I have just referred—the Elevated Railroads of this city made an effort to secure the passage of a bill to relieve them of what they claimed was excessive taxation. The bill was submitted in

of four hundred thousand dollars to his firm. The Mayor was not happy at the turn taken either by politics or business, and among the "smart set" in Wall street, the laugh was considerably on the side of Jay Gould, who had thus got even with three men who, he claimed, had broken their word to him, and had managed to make Grace pay all expenses.

Like all compromise Mayors, Grace had a hard time to satisfy the demands upon him for official patronage. On the first day of May, 1882, the term of office of a Fire Commissioner, a Tax Commissioner, a Park Commissioner, a Dock Commissioner, a Health Commissioner, a Charity Commissioner, a Police Commissioner, and City Chamberlain expired; and Grace having been supported by the "united" Democracy, the "united" were on hand, bright and early, for the plums expected to fall from his official tree. To show how fair and square he wanted to be, he invited all the factions to send him a list of preferred nominees for these several places. From Tammany Hall, he received the names of J. Nelson Tappen, John Reilly, Henry D. Purroy, Francis Blessing, Dr. J. F. Nagle, Thomas F. Grady, H. A. Gumbleton, Maurice F. Holahan, John N. Hayward, Thomas Foley, Edward C. Sheehy, Thomas C. Dunham, Ignatius Buckman and Thomas Cunningham. The County Democracy sent in the names of Chas. H. Marshall, Wm. M. Olliffe, Hugh H. Moore, Thomas Costigan, John R. Voorhis, and James E. Morrison. The old Irving Hall party, which was being run by John Fox and Sheriff Bowe, sent in the names of Henry H. Porter and Nicholas Houghton. There were eight places to fill. Tammany had sent in the names of fourteen expectants; the County Democracy had forwarded six, and Irving Hall two. The Mayor had all these names sent in so that he could "act fairly" toward all. The following are the nominations he made to the Board of Aldermen:

For City Chamberlain, J. Nelson Tappen, (Tam.); for Fire Commissioner, Henry D. Purroy, (Tam.); for Park Commissioner, Wm. M. Olliffe, (County Dem.); for Commissioner of Charities and Corrections, H. H. Porter, (Irving Hall). He made these four appointments to please the organizations. Then he nominated four parties to please himself, viz., for Police Commissioner, James Matthews; for Health Commissioner, Dr. Woolsey Johnson; for Dock Commissioner, N. L. McCready; and for Tax Commissioner, W. M. Lummis. Of course, as is usual, in attempting to please all factions, Grace succeeded in pleasing none; and when the time came for the selection of a Mayoralty nominee in the Fall of 1882, there was no Grace—either before or after meals—for Tammany or the County Democracy.

LETTER LIV.

"TAMMANY WITHOUT A BOSS" AS A SUBTERFUGE FOR MAKING A BOSS OF A MAYOR—CUNNING SCHEME WHICH DID NOT WORK—HOW ARROGANCE CAME NEAR WRECKING CLEVELAND'S PRESIDENTIAL ASPIRATIONS—EXCEEDINGLY CLOSE POLITICAL CONTEST OF 1884—CONSPIRACY TO STEAL NEW YORK'S ELECTORAL VOTE — RELUCTANCE OF BLAINE'S FRIENDS TO GIVE UP THE FIGHT—CONKLING, BLAINE AND BEECHER—DEATHS OF ARTHUR, KELLY AND THOMPSON—ALL VICTIMS OF GRIEF AND DISAPPOINTMENT.

MY DEAR DEAN:

Subsequent to the election of Wm. R. Grace for Mayor, in 1880, there grew up in the mind of that gentleman a desire to supersede John Kelly and become a leader of the City Democracy in order to pave the way for more ambitious projects. In furtherance of that scheme, through his appointee as Fire Commissioner, Henry D. Purroy, he commenced a secret warfare upon Kelly in the Wigwam, resulting in Purroy's withdrawal therefrom and the organization, in connection with Judge Andrew H. White, of a movement known as "Tammany Without a Boss," which subsequently, for the sake of brevity, was called "Little Tammany."

Through the Mayor's manipulation, also, was started a Citizens' movement, the original intention of which was to renominate himself for Mayor, if an agreement could be arranged with the County Democracy; but, as the leaders of that organization could not accede to his terms, when the time arrived for the election of Mayor in 1882, the contest was between ex-Comptroller Allan Campbell, nominee of the Citizens' organization, backed by Mayor Grace and the

"Tammany Without a Boss" faction and endorsed l the Republicans, and Franklin Edson, a "business man representative of the County Democracy organization, e dorsed by Tammany Hall. The election resulted in t sweeping majority of nearly 200,000 for Grover Clevela as Governor, and the tidal wave carried with it the succe of the Democratic local ticket, electing Mr. Edson.

But Mr. Edson proved an unhappy choice for the Coun Democracy, and gave no satisfaction to Tammany; whi Grover Cleveland, soon after his inauguration as Go ernor, in 1883, called around him a political cliq who succeeded in making him believe that his triumpha election was because of his personal popularity growin out of the reputation he had secured as the "Veto Mayor of Buffalo, and he began to assume a dictatori attitude. Then followed serious disaffection among th Democratic leaders, especially after Cleveland's insistenc upon the nomination, by the State Convention, in 188 of Isaac H. Maynard for Secretary of State, in place o William Purcell whom the rank and file of the par desired to renominate for a second term. Cleveland the made a "request" or demand of John Kelly that Sta Senator Thomas F. Grady, who had been too outspoke regarding him during the preceding legislative sessio should not be renominated. To this "request" Bo Kelly reluctantly acceded; a new conflict between th County Democracy, which stood by Cleveland, and Tam many Hall, which had "soured" on him, sprang up, an there was no union at the polls on local candidates, exce that for Register, at the election of 1883, which resulted i the defeat of Cleveland's dictated nominee, Maynard, b about 18,000 votes, while the rest of the Democratic Sta ticket was elected by a majority of about 17,000—anothe evidence that Democrats as well as Republicans in th State (as shown in the defeat of Judge Chas. J. Folger

the preceding Gubernatorial election) will resent every attempt at Bossism on the part of Governor or President to dictate State nominations. The following comment, made by the New York *Tribune* at the time of the defeat of Judge Folger for Governor, will substantiate this fact:

"President Arthur knows what the cause of the defeat was. When he inherited the Presidency, after leading a shameful warfare of faction against the Chief Executive chosen by the people, he solemnly pledged himself to walk in the path and carry forward the policy of his murdered predecessor. That pledge he neither kept nor tried to keep. On the contrary, he reversed the policy of President Garfield in every important feature, defied the will of the people expressed in the nomination and election of that noble leader, used his place and power to wreak the vengeance of a malignant faction upon the followers and friends of the dead President, outraged public opinion by rewarding men who had tried to blacken the name of the departed statesman, abused his trust, and prostituted his power, in order to place a large majority of Republicans in subjection to a small minority, and labored especially to enable a small faction to dictate to the whole party and to the country. The result was a political revolution. No other cause can be assigned for the events of the election of 1882."

At what might be called an "experience" meeting, held at Tammany Hall a night or two after the election of 1883, and presided over by John B. Haskin, the proscribed Senator Thomas F. Grady was called upon to make a few remarks, when he said, in the course of his address:

"You know, my friends, that to satisfy the demands of a gentleman in Albany, I was not allowed the privilege of running for an office. For myself, I am glad that the 'personal comfort' of the Governor is assured for the next two years. The old idea was that a public official was a public servant. The new idea is that a public official is a public Boss. The verdict of last Tuesday showed what the people think of public Bosses."

It must have been a novelty to the regular attendants at Tammany Hall to listen to a comment upon Bossism from the rostrum of that Boss-ridden institution. Such was the condition of affairs political in New York, when the Democratic State Convention was called at Saratoga

to select delegates to the National Convention to be held in July, 1884, to nominate a candidate for the Presidency.

The State Central Committee, or a majority of it, with Daniel Manning at its head, was in favor of the Presidential candidacy of Governor Cleveland. Roswell P. Flower had been for some time working up a boom for himself; and while, at the Gubernatorial Convention of 1882, John Kelly unintentionally started the ball which made Cleveland the nominee for Governor, in order to head off Flower, he was now for Flower for President, with the hope of heading off Cleveland, who had given him cause for offence; and Flower's friends (composed chiefly of Cleveland "soreheads") claimed that he had an assured majority of the delegates to the State Convention in favor of his nomination.

An amicable adjustment of representation on the part of the rival Democratic factions from the metropolis was again arranged, without contest—the basis being thirty-one County Democracy delegates, thirty-one from Tammany, and ten from Irving Hall; and while, in the selection of the seventy-two delegates to represent the State in the Chicago Convention, there was no instruction to cast the vote of the State for Cleveland or any other nominee, the "unit" rule, which was re-adopted, virtually gave the delegation to Cleveland, as, upon a poll, the delegates' preferences were as follows: Cleveland, forty-one; Flower, five; anti-Cleveland, seventeen; non-committal, nine.

The Presidential Convention was held in July at Chicago. There was again some talk of Tilden as a candidate; but the chairman of the New York State delegation, Daniel Manning, said: "Under no circumstances would he (Tilden) have his name considered in that connection"; and when the order of nominations was reached, on July 9, the prominent candidates were Thomas F. Bayard, of Delaware; Joseph E. McDonald, of Indiana; Allen G. Thur-

man, of Ohio; John G. Carlisle, of Kentucky; and Grover Cleveland, of New York. There being no contesting delegates from the State of New York, the business on hand was much sooner reached than at the preceding National Convention, and, except for the little episode between Senator Thomas F. Grady and General Bragg, of Wisconsin, there was nothing to disturb the harmony of the gathering. Manning, of New York, in placing the name of Grover Cleveland before the Convention on behalf of its delegates, called upon Daniel Lockwood, of Buffalo, a personal friend of Cleveland, to speak for him, and that gentleman made a very eloquent and impressive speech in behalf of the Governor of New York. W. Bourke Cockran, speaking for Tammany, then stated that, while under the unit rule he and his associates were bound to abide by the will of the majority of the delegation, they had reserved the privilege of expressing their views regarding the candidacy of Cleveland. He then followed with a bitter attack upon New York's Governor, denouncing him as a marplot, and one who could not, or would not, carry the State of New York. Thomas F. Grady, another Tammany orator, delivered a violent and virulent attack against the private as well as public character of Cleveland. These assaults, emanating from his own State, rather dampened the ardor of Cleveland's supporters from other parts of the Union, and seemed to give rise to a feeling of doubt as to the expediency of his nomination. General Bragg, of Wisconsin, a warm advocate of Cleveland, then took the floor. He saw it was necessary to do or say something to counteract the threatened turn of the tide and, in a full, clear voice, which penetrated every nook and corner of the Convention, he delivered a very impressive speech in favor of Cleveland, adding that the best evidence of his availability as a candidate was that the young men of the West as well as those of the East were united in his support, and this, to

his mind, was unmistakable assurance of success. Then, pointing to the Tammany delegates, he said: "We love him for the enemies he has made." A roar of applause came spontaneously from the Convention. Grady jumped up, his face red with anger, and shouted back: "In behalf of his enemies, I accept your statement." Gen. Bragg paused, apparently scrutinizing Grady, and then continued: "Riddleberger, of Virginia, whose treachery to the Democratic party caused its defeat in that State, would not be permitted to speak here." And, again pointing his finger at the Tammany delegation, he exclaimed: "Behold the Riddlebergers of New York." The Convention yelled again with delight at this thrust. Gen. Bragg then declared that if any one searched beneath the cloaks of the anti-Cleveland men of New York, he could only find disappointed ambition and personal grievances. He had been amused, he said, at the posing of the Tammany delegates as the spokesmen of the laboring classes. "Men," he exclaimed, in an ironical tone of voice, "have come here, and talked of labor, whose only labor has been at the crank of the machine." This elicited another roar of applause from the Convention, which had evidently now again become Clevelandized. Gen. Bragg concluded his remarks by saying that the Democratic party could only win by getting recruits, and that the independent voters were willing to come into its ranks if they were given a chance. "Every one of these men," he said, "bore a banner with the words inscribed upon it, 'Cleveland and Reform.'" His closing sentence was greeted with rounds of hearty applause.

During Gen. Bragg's speech an incident occurred which, perhaps more than his eloquence or sarcasm, turned threatened defeat into victory. Bragg was the name of a Captain in command of the United States artillery at the battle of Molino del Rey, during the war with Mexico. At a critical moment General Zachary Taylor, dashing past Capt.

Bragg's battery, and seeing the Mexican forces advancing to a charge, shouted: "A little more grape, Captain Bragg!" The phrase became historic in this country, and all schoolboys are familiar with it, because Bragg's terrific artillery fire at that point of the battle secured victory to the American arms. When Gen. Bragg of Wisconsin, turned on the Tammany leaders in the Chicago Convention, as above related, and alluding to Tammany's treachery, declared: "Behold the Riddlebergers of New York!" a stentorian voice responded from the gallery: "A little more grape, Captain Bragg!" As if impelled by an electric shock, the entire assemblage sprang to its feet, and in a delirium of excitement roared for five minutes, like a great tumultuous sea. This settled the fate of Tammany. The tide was turned, and Gen. Bragg was the hero of the hour.

The Convention began to take its first ballot at midnight on July 10. The result was as follows: Cleveland, 392; Bayard, 170; Thurman, 88; Randall, 78; McDonald, 56; Carlisle, 27; Flower, 4; Hoadley, 3; Tilden, 1; Hendricks, 1. There were 820 votes in the Convention; of which the two-thirds necessary to a choice was 547. As no choice had been reached, an adjournment was taken until the next morning.

Upon the reassembling of the Convention the next day, it was observable that there had been an attempt to create a "bandanna" boom during the night for Allen G. Thurman of Ohio (who, because of his conspicuous use—being a snuff-taker—of bandanna handkerchiefs, was nicknamed "Old Bandanna,") and there was among his immediate followers a general waving of handkerchiefs along the sidewalks leading to the Convention Hall. But all efforts to make a diversion or combination against Cleveland failed. A break in his favor from the Randall and Bayard vote was announced, and when the second ballot took place,

Cleveland was nominated, receiving 684 votes, or 137 more than necessary for a choice. On this the second ballot, Bayard received 81½ votes, Henricks 45½; Thurman 4; Randall 4, and McDonald 1. The nomination of Cleveland was made unanimous, and then followed the excitement and enthusiasm incident to all such occasions, and fully half an hour was consumed in congratulatory proceedings. When order was restored, a recess was taken until evening, at which session Thomas A. Hendricks, of Indiana, was nominated for Vice-President, and all the business of the Convention was then finished.

Kelly and his delegation from New York City were again all "down in the dumps," and next morning departed from Chicago. Commencing his fight against Tilden, in 1876, he had been beaten at almost every Convention, State and National, since attended by him, and now he and his friends left the "Windy City," assuring everybody that "Cleveland could not carry the State of New York."

But John Kelly and his friends were mistaken in their conclusions. For Cleveland was elected, although his success was perhaps less attributable to his personal popularity than to a bigoted remark made by Rev. Dr. Burchard, just before the election, in the presence of Blaine, which Blaine did not resent or repudiate.

A few weeks before election, a delegation of Protestant ministers waited on Blaine at the Fifth Avenue Hotel, in this City, to assure him of their loyal support. Many prominent Republicans at this time were openly espousing the cause of Cleveland, on the ground that he was a tariff and a civil-service reformer; and, to prevent a further exodus of Republicans from their camp, these ministers of the Gospel, all of whom were Republicans, and with a view, perhaps, of exhibiting their importance, conceived the idea of conferring with Blaine upon the subject of arresting the

exodus referred to. Among several speakers who addressed Blaine was Dr. Burchard, pastor of a Presbyterian Church in this City, who, in the course of his remarks, said that it was meet that some warning should be given to those misguided Republicans who were threatening to drift into the party of "Rum, Romanism and Rebellion."

It is, of course, impossible to say whether or not Blaine sympathized with this reflection on a religious communion in which up to this time he had many warm supporters; but the fact is, he made no allusion to it in his speech of reply to the addresses of the ministers; nor, although Dr. Burchard's remarks were made a prominent issue against him during the remaining weeks of the campaign, did Blaine even once publicly condemn or repudiate them. The American people are always ready to stamp out any attempt to inject sectarian issues into politics, and although some Republicans may have been kept within the fold by the warning of the ministers, Blaine lost heavily on the other side among liberal Americans and especially among the Catholic Irish element.

But, I regret to add, a disgraceful attempt was made at this election, on the part of the National Republican Committee, aided by Jay Gould and the Western Union Telegraph Company, to steal the Electoral vote of the State of New York from Grover Cleveland, much in the same way that Samuel J. Tilden, the Democratic nominee for President, was cheated out of his election in 1876 through frauds perpetrated in the States of Louisiana and Florida. The following statement will best explain the designs of the conspirators who had concocted the plan. I quote from the Albany *Argus* of November 9, 1884:

The "address" of the Republican National Committee is a further step in the Blaine efforts to lay a foundation for the stealing of New York State. Step first was taken in the Jay Gould-Blaine *Tribune* and in the Jay Gould-Western Union dispatches. On Tuesday (election) night, they showed steady Democratic gains in the rural districts.

Then such words as these began to crop out: "If the remaining districts conform to the Garfield vote, Blaine's plurality will be assured in this State." At that time the districts were presumably not "conforming to the Garfield vote." The purpose of the irrelevant and impertinent interpolation into news dispatches was to let the manager of the telegraph know that "remaining districts" must be *made* "conform to the Garfield vote."

To do this, delay was necessary. Suddenly, returns ceased coming until the next day. Twelve hundred districts had been heard from; seven hundred remained to be heard from. Why were the sources of information thus suddenly cut off? The order to "conform to the Garfield vote" was understood. So the returns were held back.

Detecting the trick, the Democratic State and National Committees issued an order to every county Democratic leader: "Send on the returns to us at once; see that no figures are tampered with; see that a true statement and an honest local count is made." By this means, the figures were received before the plotted alterations in them could be made, and knowledge of the election of Cleveland was obtained.

Next morning, it was sent out by the Radical organs that "the Republican National Committee claimed the election of Blaine"—a bluff to screen the crime going on. In the afternoon, the Blaine papers issued extras declaring "Blaine elected." These extras were issued from offices which had received, but did not publish, cautionary telegrams from politicians of their own party in New York, saying that Blaine was not elected, and urging the papers for the sake of justice and decency, and in the interests of Republican honor and public order, not to fall in with the plot to count Blaine in by fraud. These extras were issued when the papers themselves possessed and suppressed the figures which refuted the very claim put forth that Blaine was elected. But still the *Tribune* continued its claim, and the Republican National Committee issued an "address," in which it was stated:

There is, therefore, no ground for doubt that the honest vote of

this State has been given to the Republican candidate ; and though the defeated candidate for the Presidency is at the head of the election machinery in this State, the Democratic party, which has notoriously been the party of frauds in elections for years, will not be permitted to overthrow the will of the people.

In the meantime a terrible state of excitement was agitating the whole country, and in the City of New York so intense was the feeling on the subject that threats of vengeance upon Jay Gould—the head and front of the Western Union Telegraph Company, the chief link in the conspiracy to steal the Electoral vote of this State—were openly uttered, and caused a demand, on his part, for police protection. Concluding, on the seventh day of November, three days after the election, that, after all, "honesty was the best policy," and just at that time much the best for his personal safety, Gould "threw up his hands," and the bottom fell out of the conspiracy. He then sent the following dispatch to Cleveland:

NEW YORK, November 7, 1884.

GROVER CLEVELAND, Governor,
Albany, N. Y.

I hereby congratulate you on your election. All concede that your administration as Governor has been wise and conservative, and in the larger field as President, I feel that you will do still better, and that the vast interests of the country will be entirely safe in your hands.

JAY GOULD.

But nearly two weeks elapsed before the Blaine conspirators would positively acknowledge defeat. The Radical organs regaled their readers every morning, for three days after the election, with the word "victory" in big heavy type; then they hedged a little by saying "the contest is close, but the official canvass will assure Blaine's success." As soon as it was generally ascertained that Cleveland was elected, the cry of "fraudulent returns" was harped upon for several days. But, one morning, the "falsehood" editors must have been put on the sick list, for nothing more was said about the "Blaine Victory," and

the returns, as published, showed that Cleveland had carried the State of New York by 1,047 majority; and so ended the Presidential contest of 1884.

In the Electoral College, Cleveland had a majority of 37 votes over Blaine. The State of New York gave 35 of these 37 votes. You will thus see that the 1,047 majority, which gave the Electoral vote of New York to Cleveland, decided the Presidential contest. There were at that time eleven hundred election districts in the metropolis. A change of one vote from Cleveland to Blaine in six hundred of these districts would have made Blaine President. Hence the importance attached to a single vote by politicians.

But, besides the attempt to rob Cleveland of the Electoral vote of the State of New York, the Presidential canvass of 1884 was notable for the scandal brought into it. Charges of immoral conduct were brought against Cleveland, and he was also accused of bad habits during his occupancy of the Executive Mansion at Albany. Mrs. Henry Ward Beecher was induced to write him a letter stating that his numerous friends felt that some explanation of these charges was due from him, to which Cleveland replied as follows:

[PRIVATE.]
EXECUTIVE CHAMBER, ALBANY, N. Y.,
October 7th, 1884.

MY DEAR MRS. BEECHER:

Your letter, as you may well suppose, has affected me deeply. What shall I say to one who writes so like my mother? I say so like my mother, but I do not altogether mean that, for she died in the belief that her son was true and noble, as she knew he was dutiful and kind. I am shocked and dumbfounded by the clipping from a newspaper that you sent me. It purports to give what a man actually knows, and not a mere report, as the other four or five lies do, which I have read or heard about my life in Albany.

I have never seen in Albany a woman whom I have had any reason to suspect was in any way bad. I do not know where any such woman lives in Albany. I have never been in any house in Albany except the Executive Mansion, the Executive Chamber, the Fort Orange Club,

(twice at receptions given me, and I think two or three other occasions); and the residences of perhaps fifteen or twenty of the best citizens to dine. Of course I have been to church.

I am at a loss to know how it is that such terribly wicked and utterly baseless lies can be invented. The contemptible creatures who coin and pass these things appear to think that the affair which I have not denied makes me defenceless against all charges. As to my life in Buffalo, the manifestation of confidence and attachment that was tendered me there by all the citizens must be proof that I have not lived a disgraceful life in that City. And as to my life in Albany, all statements that tend to show that it has been other than laborious and perfectly correct are utterly and in every shape untrue. I do not wonder that your good husband is perplexed. I honestly think I deserve his good opinion and any aid he is disposed to render me.

I have marked this letter "private." But you must not infer that I at all doubt your proper use of it.

GROVER CLEVELAND.

As a result of this letter, Rev. Henry Ward Beecher entered heartily into the canvass for Cleveland. Although Beecher in his day had many shafts of abuse leveled at himself, which he always condemned as most unchristian, yet he made Blaine the subject of his bitterest invective during the campaign. Not only as a characteristic specimen of electioneering vituperation, but in order to show how this gentle minister of the Gospel threw the mantle of charity over the faults and frailties of Blaine, I must quote from Beecher's speech of October 25, 1884, at the Art Association in the City of Brooklyn. After eulogizing Cleveland he turned his attention to Blaine and said:

I want to see that phenomenon of rascality and hypocrisy not only beaten, but so badly beaten that his defeat can stand forever in the pages of history; that he may hold a place with Benedict Arnold in the annals of America, and struggle for fame in the history of humanity with Judas Iscariot.

After pausing a moment to give his audience time to drink in these pious and benevolent reflections, the holy man continued:

This country has produced many liars of many kinds. We are even famous for our liars. We have the comic liar, who lies for the fun of the thing; the malicious liar, who lies to do a neighbor mischief; and

the selfish liar, who lies to fill his purse. Sometimes there is a combination of all these. If there is such a one this minute, he must turn green with envy and hide his diminished head when he surveys the proportions of that champion of liars, James G. Blaine.

Of course, Blaine, being a candidate, could make no reply, and his own bitter tongue had to be silent. But had he not been thus restrained, a reply from him embodying his opinion of Beecher, along the same lines, would undoubtedly have taken a high place among the classics of Billingsgate.

Possibly had not Beecher felt protected by Blaine's enforced silence, he would have thought twice before inviting a counter attack, especially if he remembered the fierce manner in which Blaine handled Roscoe Conkling many years before, while yet comparatively a novice in this style of controversy. To show what Mr. Beecher escaped it is only necessary to give a short extract from a historic speech. During a debate on a matter connected with the office of Provost-Marshal General Fry, Conkling and Blaine becamed involved in a controversy which culminated in bitter personalities. Conkling attempted to superciliously brush Blaine aside, and referred to him as a person of "frivolous impertinence." During the course of Blaine's retort, he referred to what he termed a "jocose satire" of Theodore Tilton (by the way, an old friend of Mr. Beecher) that the mantle of the great orator, Henry Winter Davis, had fallen on Conkling's shoulders, and in ridiculing Conkling for taking the compliment seriously, which he said had given "an additional strut to his pomposity," Blaine lashed him in this way:

The resemblance is great; it is striking. Hyperion to a satyr, Thersites to Hercules, mud to marble, dunghill to diamond, a singed cat to a Bengal tiger, a whining puppy to a roaring lion! Shade of the mighty Davis, forgive the almost profanation of that jocose satire!

During the ensuing twenty-two years, when death separated them, Conkling and Blaine never exchanged a friendly greeting.

To go back to a different phase of politics, I may mention that neither John Kelly, the Tammany leader, nor Hubert O. Thompson, the leader of the County Democracy, lived to see another Democratic National Convention. John Kelly died on June 1, 1886. He was taken ill soon after the close of the Presidential Convention of 1884, in which he had manifested more than usual interest because of the fact that his heart was wrapped up in the success of Hugh J. Grant, and still more wrapped up in the defeat of his enemy William R. Grace, Grant's most formidable opponent. Grant was put forward as Tammany's trump card for Mayor, he having the prestige of being the only Tammany Alderman in the Board who did not vote for what was called the "Broadway Railroad steal." Kelly had freely predicted the defeat of Grover Cleveland, and undoubtedly believed the prediction would prove true. The election completely falsified his prophecy. Cleveland was elected; so was Grace; and Tammany's nominee for Mayor was defeated. Kelly was a bitterly disappointed man. He had endured a long strain both physically and mentally, and when the end came and brought with it this crushing disappointment, he broke down. His mind was clear, but he was physically prostrate. He could obtain no sleep except by the use of opiates; and early in 1885 he retired from active politics.

John Kelly was born in New York City, on April 21, 1821, and like most boys of his period, as I have before stated, was an interested admirer of the old Volunteer Fire Department. He possessed great physical strength, and was an associate and companion in his boyhood of John B. Haskin and David C. Broderick, both of whom, like himself, afterwards became prominent in political life. John Kelly first entered politics as Alderman, in 1854. While serving out his term in that capacity, he was elected to Congress. Before the close of a second term in Congress, he was elected

Sheriff of the County of New York. He afterwards served four years as Comptroller of the City and County, making in all sixteen years of official life. While in Congress, Kelly was described as "a strong, heavy, raw-boned man with a firm jaw, clear and determined eyes and awkward manner." His associations at the Federal Capital greatly modified his deportment. From having been rough, intolerant and domineering, he grew to be agreeable in his nature and diplomatic in his behavior. John Kelly exhibited a curious temperament when dealing with men. At times he was cold, austere, and even tyrannical, and once he made up his mind to anything, it required extraordinary influence to change him. He was a deep thinker, and for a man possessing such a limited education it was astonishing to all to find him ready to discuss almost any subject, particularly if of a political nature. He was a rigid disciplinarian in politics. In his latter years he became very stubborn, and often lent a willing ear to tale-bearers, the falsity of whose utterances estranged from him many loyal Tammany men. While sitting in judgment, in the back-room of the Wigwam, on some case that had been presented to him, his face was a study. His gaze seemed to be fixed on the opposite side of Fourteenth street. He listened intently to what was said, pro and con, and spoke in a low, measured tone but with marked emphasis, so that those who heard the verdict were not likely to forget it for some time. He was thoroughly domesticated in his habits. His food was of the plainest, and he smoked moderately. His library was his smoking room, and a good fragrant cigar seemed to help him out greatly with any mental problem of importance. In his home, John Kelly was as docile as a child; the iron features became relaxed, and the "Bismarck of New York," as he was sometimes called, even condescended to smile. For a man of such iron will, Mr. Kelly was easily disappointed. On one occasion he prepared a lecture on the

"North American Indian"—a subject in which he felt a deep interest—and this he had intended to deliver extensively for the benefit of charity. But he was fond of applause, and as the lecture did not meet with the enthusiastic reception he had expected, he despondingly laid it aside. There was no man in the history of Tammany Hall who could have been richer than John Kelly. He could have been a millionaire a dozen times over; but he was not accessible to those corporation "blandishments" which have such a charm for his successor, and he died in the moderate circumstances in which he lived, earning well the name he loved to hear himself called by friend or foe, "Honest John."

Hubert O. Thompson, like John Kelly, was a victim of disappointment. He was only thirty-eight years of age, and had been only eight years in public life at the time of his death. When Allan Campbell was Commissioner of Public Works, he made Thompson a clerk in the Water Purveyor's bureau. Thompson afterwards became private secretary to Allan Campbell, when Commissioner of Public Works. H. A. Gumbleton was then Deputy Commissioner of that Department, and when Gumbleton was elected County Clerk, Thompson was made Deputy Commissioner of Public Works in his place, for which act, being contrary to Kelly's wishes, Allan Campbell was "disciplined" out of Tammany Hall. In 1879, when Governor Robinson removed Gumbleton from the office of County Clerk, Mayor Cooper appointed Thompson to fill his place. Gumbleton refused to surrender his office, claiming that his removal was illegal. Through his influence with the janitor of the building, (who had been appointed by the Commissioner of Public Works,) Thompson secured possession of the County Clerk's office at midnight, for which act Gumbleton had him arrested; but he was soon discharged. Thompson was made Commissioner of Public

Works by Mayor Cooper, in 1880, and soon after entered heart and soul with Wm. C. Whitney, Abram S. Hewitt and others into the organization of the County Democracy, and with all the vast patronage under his control, in the department of which he was the head, he, with Daniel Manning, Chairman of the State Central Committee, really controlled the politics of the State. It was Thompson's influence more than that of any other man, that secured for Cleveland, in the face of strong opposition, the delegation from New York State to the National Convention of 1884, and through his influence, in the City of New York, large sums of money were subscribed to enable the National Democratic Committee to carry out its plans, in which, it was said, Thompson invested all his private funds, while he was an incessant laborer, night and day, during the Cleveland campaign.

His term of office as Commissioner of Public Works expired on December 31, 1884, and as through some misunderstanding with Mayor Edson he was not re-appointed for another term, he very naturally turned his attention to Cleveland, for whose success he had done so much, and Thompson was recommended by the organization of which he was the head to the President-elect for the position of Collector of the Port of New York. But in this his hopes were blasted; for when, immediately after his inauguration, the President was approached on the subject, he broke Thompson's heart by saying "he was too much of a politician for the position." This was a disappointment equal to Kelly's, and perhaps much more keen, because at this stage of Thompson's career he was without funds or resources of any kind. Such are the vicissitudes of politics.

Deprived of the office which had given him power and influence, and disappointed in his hopes through President Cleveland, Thompson soon after found that steps were being taken through Mayor Grace and Chamberlain Ivins

to supersede him in the position he held in the County Democracy. When Grace became a full-fledged County Democracy man upon his nomination for Mayor in 1884, Fire Commissioner Purroy and Judge Andrew H. White followed him into that organization; and, always reaching out for extended power, through the Mayor's influence the Fire Commissioner sought the position held by Thompson, of chairman of the sub-Executive Committee—the nearest approach to Boss which the County Democracy organization permitted. The effort, though determined, was not, however, successful; but the Fire Commissioner landed next in command, being made chairman of the sub-Committee. This move was another blow to Thompson's sensitive condition, and made him grieve the more over his comparatively powerless situation. The announcement of his death caused a shock to politicians of both parties, because he was socially popular with all of them. He was a man of extraordinarily good judgment and knowledge of affairs and of men, and had a good business education. The manner in which he was treated by President Cleveland surprised everyone.

It is only fair to say, however, that Cleveland must be presumed to have acted towards Thompson from a sense of public duty. It was well-known that Cleveland had no earthly reason to have any prejudice, personal or political, against Thompson. On the contrary, they were on terms of personal and political friendship. Thompson himself did not regard Cleveland's refusal to appoint him as based on anything of a personal nature; for, a couple of days after Cleveland's inauguration, he said to a friend, "No, I won't be made Collector of the Port of New York. The President thinks I am too much of a politician." But this was not the cause of his rejection. The reason is here. Thompson had been Commissioner of Public Works of the City of New York. His salary was $8,000 a year. He lived at the rate

of $50,000. He was not rich outside of his office, nor was his family rich, or even well off. "Where did he get it?" was in Cleveland's mind, the same as "Where does Croker get it?" is in the mind of every man to-day. In the flush of his prosperity, surrounded by sycophants and schemers, ingrates and traitors, Thompson in his simplicity supposed that the people were blind or were fools, and that his exhibition of affluence was not proof of his wrong-doing, strong, positive and unanswerable. Besides, the public press openly denounced his management of the Department of which he had been the head. Under the law, all contracts for the City, over $1,000 in amount, were to be let by public bidding (duly advertised as to time and place) to the lowest bidder. A contract under that sum, or for $999, could be awarded to any person in favor with the Commissioner of Public Works. During Thompson's administration a large number of these small contracts were awarded to two favorite contractors, Maurice B. Flynn and Richard A. Cunningham, and, to better accomplish the purpose in view, works which could and should be let in bulk were ingeniously divided into fragments, so to speak, in order to bring the several contracts outside of the operation of the statute requiring public letting and advertising. So that the aggregate work of these favorite contractors was very great, and the profits enormous; and this is one of the ways Thompson was supposed to "get it." Before Cleveland would appoint a person to the important post of Collector of the Port of New York, it is reasonable to presume that he would look closely into his character as well as capacity. With Cleveland's well-known disposition to make no compromise with dishonesty, it is also reasonable to presume that Thompson's own conduct, and this alone, was the cause of his failure to reach the office.

I may mention, before concluding, that the year 1886 was

a fatal one to still another man prominent in political life, whose name has frequently appeared in these letters. I refer to ex-President Chester A. Arthur, another disappointed man, who played a high game for the Presidential succession, but with Folger's defeat for the Governorship all his hopes vanished. He died suddenly of apoplexy on Nov. 18, 1886, and, in less than eighteen months thereafter, his bosom friend, Roscoe Conkling, departed this life on April 18, 1888; while Folger, their gubernatorial victim of 1882, survived his terrific defeat less than two years, dying on September 4, 1884, just before his successful competitor was advanced to the Presidency of the United States.

Thus four prominent political leaders passed out of existence in less than two years. The County Democracy existed more or less (generally less) for several years after the death of Hubert O. Thompson, its light gradually growing dimmer, until it finally flickered out under the leadership of Charles E. Jackson. Senator Thomas C. Platt succeeded his old associate, Roscoe Conkling, as Republican Boss, and seems to have proven a much greater success in that line; while Richard Croker, an humble dependent of John Kelly, has become the successor of that leader as Boss of Tammany Hall. But regarding him there is so much to say that I shall defer my remarks until another time.

LETTER LV.

FICKLENESS OF POPULAR FAVOR—PRESIDENT CLEVELAND APPLAUDED AND COMMENDED, BUT DEFEATED IN HIS OWN STATE—SINGULAR APATHY AT THE NOMINATING CONVENTION—POLITICIANS UNWILLINGLY SUBMIT TO UNCONTROLLABLE CONDITIONS, BUT HANDICAP THE NOMINEE WITH AN UNPOPULAR PLATFORM — STRIFE OF GOVERNOR HILL'S FRIENDS TO MAKE HIM A PRESIDENTIAL NOMINEE IN 1892—HOW THEY MARRED HIS CHANCES BY A "SNAP" CONVENTION—CLEVELAND NOMINATED A THIRD TIME FOR THE PRESIDENCY—THE NATIONAL CONTEST OF 1896.

MY DEAR DEAN:

The fickleness of popular favor finds signal illustration in the public career of ex-President Cleveland. When Mayor of Buffalo and comparatively unknown outside of Erie county, he was elected Governor of this State, in 1882, by a majority of nearly 200,000; but when nominated for the Presidency, in 1884, he carried this State by a majority of only 1,047 votes. When renominated, in 1888, he was defeated in this State, and lost his election as President; yet four years thereafter, in 1892—Cleveland meanwhile having resumed the practice of law in New York City—he was again nominated for the office of Chief Executive, again carried the State of New York, and was again elected President of the United States. His nomination for Governor seemed to be mere chance or accident, as I have shown; his nomination for President in 1884 was due to the timely speech of Gen. Bragg in the Democratic National Convention of that year; while his first election to the Presidency was generally believed to have been mainly due to the chance utterance of

"Rum, Romanism and Rebellion" by Rev. Dr. Burchard, at a Blaine reception, and which lost Blaine many votes.

In reflecting upon foregoing strange coincidences, and having in view present political complications, the suggestion forces itself upon the mind, that perhaps "destiny" has not yet got through with Cleveland.

Cleveland's re-nomination in 1888, for President, was not due to love or regard for him on the part of the leaders of his party. On the contrary, while not betraying the vulgarity or insolence of an uneducated Boss, he had become imperious and somewhat dictatorial in his official position, and his determination not to permit his Administration to be characterized by partisan favoritism led him into antagonisms with many political friends; but this independence made him strong with the people and, combined with his power and influence, forced all other aspirants for the Presidency out of the field, compelling the Democracy to re-nominate him; yet an unpopular plank in the party platform defeated him. But the ensuing four years brought another change. The hue-and-cry raised against the McKinley high tariff, passed during the Administration of his successor, President Harrison, and the beginning of "hard times" in 1892, turned the popular mind in the direction of tariff reform and toward Cleveland as its best exponent, and he was again called to the White House. Four years later, in 1896, William McKinley, originator of the tariff in opposition to which Cleveland was re-elected in 1892, was brought to the front by the Republicans as a cure-all for the then existing business depression—wrongfully attributed to Cleveland's too much tariff reform proclivities—and McKinley was elected to the Presidency. Such are the ups and downs of public men, and the contrarieties of the popular mind in regard to public issues.

As I have previously referred to Presidential Conventions from 1868 to 1884, I may now add a brief reference to mat-

ters of interest connected with the Conventions of later years.

The Democratic National Convention of 1888 was held in June—the month usually selected for such gatherings, both because it is a month of more or less leisure throughout the country, and because a canvass of four or five months is deemed necessary for a Presidential campaign. The N. Y. Democratic State Convention to select delegates to the National Convention was held at the Academy of Music, in this city, on the 15th day of May. Between David B. Hill, then Governor of this State, and President Cleveland, differences had arisen. The Governor had began to turn wistful eyes toward Washington, but Cleveland was not yet ready to quit the Presidential arena, and when he discovered, in the month of February, that the Governor had quite as many friends as he in the State Committee, he began to plan accordingly. When, at the State Convention to select delegates to the National Convention, it was found that the Governor was arranging to go as a delegate-at-large —in order to be on hand, in case of an emergency like that of Garfield, in the Republican National Convention—Cleveland determined to balk his purposes, which he did, the delegates-at-large chosen being Edward Bissell, of Buffalo, Cleveland's old law partner, and Oswald Ottendorfer, editor of the New York *Staats Zeitung*, both pronounced Cleveland advocates.

Ex-Mayor Wm. R. Grace was conspicuously active at the State Convention against Governor Hill, to satisfy a fancied wrong, and when the Governor's defeat was accomplished, ex-Mayor Grace was almost beside himself with joy, until his attention was called to certain pamphlets that were being distributed among the delegates. One of these was entitled "A One-Sided History of Wm. R. Grace, the Pirate of Peru;" the other was entitled "An Address to the Delegates by a Member of the Convention," and con-

tained a savage attack on Grace and William C. Whitney. This was an act of retaliation on the part of some of Hill's friends, but that gentleman denounced, as did almost everyone else, the anonymous character of the attack, as well as its extraordinary brutality and violence. The State Convention, presided over by Frederic R. Coudert, endorsed the Administrations of President Cleveland and Governor Hill, and instructed the delegates, chosen to represent the State at the St. Louis Convention, to vote for the renomination of Grover Cleveland for President. To show how evenly the sentiment of the Convention was divided, I may add that, when the new State Committee selected by the Convention met for organization, the vote for chairman was a tie between Judge D. Cady Herrick and Edward Murphy, afterward United States Senator. "Why was not Murphy again elected chairman?" a prominent Democrat was asked. "Because the Administration thinks he is too close to Governor Hill," was the response. But at the next meeting of the Committee Senator Murphy was made chairman. Although emanating from an opposition partisan source, the following comment on the political situation, from the New York *Tribune* of May 16, 1888, may be interesting:

The Democratic party needed a leader, but has found a master. The events of the past year have a peculiar interest for the philosophical student of parties and party government in a Republic. President Cleveland dictates to the New York Democratic Convention as absolutely, with as little effective resistance, and with as contemptuous indifference to the wishes and interests of intelligent Democrats, as if he were overseer on a plantation and Democrats were his slaves. Governor Hill, of whom some have talked as the possible leader of an insurrection, feels the lash and bears the humiliation of a public flogging as best he can. Without him, Cleveland could never have become master of his party, for it was Hill's victory last year that made Cleveland's dictation possible. But Manning was discarded and humiliated before him, and but for Manning the ex-Sheriff of Erie would long ago have disappeared in oblivion. The men who climb without merit are those who kick away the ladders without compunction.

The Presidential Convention, when it met at St. Louis, Mo., on June 4, was the tamest affair of the kind I had ever attended. It seemed to be, and yet it was not, a cut-and-dried affair, though the re-nomination of the President was apparently a foregone conclusion. There was no Cleveland enthusiasm. It did not exist. Ex-Governor Tilden, cold, selfish and unmagnetic as he was, still by the great power of his intellect and politic management inspired an admiration of which there was not the slightest sign in the case of Cleveland. When a party leader is popular, you do not need to be told of it. There is electricity in the very air on such occasions as a Presidential Convention. There was no Cleveland thrill anywhere. Any one who has ever heard the roar that would break out from a Democratic crowd at the sight of Horatio Seymour's face, or the mention of his name, need not have explained to him the difference between enthusiasm and the feeling with which Cleveland was regarded at the Convention of which I am speaking. There seemed to be only fear, not love for him—a sort of formal acquiescence in the inevitable. Tilden never had the despotic power in the organization which every detail of the Convention showed that Cleveland was wielding; because, perhaps, Tilden never had the patronage at his command.

The Exposition Building, in which the Convention was held, was a huge and imposing structure of stone, brick and iron, capable of seating ten thousand people. It was elaborately decorated, and the location of the presiding officer, on the side, about midway of the immense hall, made it possible for the vast assemblage to hear what was said and see what was done. There was little talk of any candidate except Cleveland, although a delegate from Nevada was observed tying to the pole that bore the name of his State, a red bandanna handkerchief, to show that the delegates from that locality were friendly to "Old Ban-

danna" ex-Senator Allen G. Thurman, of Ohio. Other State poles were afterward similarly decorated. Then an advocate of Governor Gray, of Indiana, just to show that a boom for that gentleman, if not very much alive, was at least still kicking, perched his gray stove-pipe hat on the Indiana pole, and soon thereafter a number of gray hats were seen shaking on canes.

Judge J. M. White, of California, the temporary presiding officer, wielded a silver gavel presented by the State of Nevada; and the routine business of the Convention, occupying the first day, passed off without a ripple of discord. The next day, General Patrick A. Collins, of Massachusetts, was made permanent Chairman, and, without waiting for a report from the Committee on Platform, announced that nominations for the office of President of the United States were in order. As the secretary stepped forward to call the roll of States, Edward W. Pelters, of Alabama, said: "Mr. Chairman, the delegation from Alabama have instructed me to tender its first place on the call, and its first right to speak, to the State of New York." Great applause greeted this act of courtesy, and Daniel Dougherty of Pennsylvania, to whom the honor had been accorded, delivered a well-set speech eulogizing the ex-President, and at its close he put in nomination, in behalf of the delegates of the State of New York and Pennsylvania, Grover Cleveland.

For the first time was there an ebullition of enthusiasm, and as each State was called, and the votes were recorded for Cleveland, delegates from all parts of the hall gathered around Dougherty, bearing the standards of their respective States, and formed a circle about him holding, as a sort of canopy over his head, the placards bearing the names of the States. The number of votes necessary to nominate Cleveland were recorded long before the roll-call was finished. Then a formal announcement of the

nomination of Cleveland was made by the chair, and an adjournment of the Convention was had for the day. On re-assembling the next day, ex-Senator Allen G. Thurman, of Ohio, was nominated for Vice-President; after which a platform with an unsatisfactory tariff plank, reported by Henry Watterson, of Kentucky, chairman of the Committee on Resolutions, was adopted, amid considerable confusion, and the Convention, with a kind of "wet-blanket" feeling among the delegates, adjourned *sine die.*

Senator Riddleberger, of Virginia, (to whom you may remember, Gen. Bragg, of Wisconsin, referred, in his great speech in the Convention of 1884, which first nominated Cleveland) when asked, in Washington, what he thought of the Democratic nomination for Vice-President, Allen G. Thurman, "Think," he answered, "why, that you have nominated a pocket handkerchief!"

Mayor Hewitt, of New York, one of the most ardent supporters of Cleveland in 1884, while the Convention was still in session in St. Louis, was thus addressed by a prominent Democrat:

"Mr. Mayor, you drew up the tariff plank in the platform of the Democratic Convention of 1884?"

"Yes, I did."

"Have you prepared a tariff plank for the St. Louis Convention?"

"I have not prepared anything for the Convention, and I shall do nothing about it, nor about the canvass; I shall not make a speech, nor spend a dollar in the campaign."

"As a Democrat, will you not do all you can for Cleveland's re-election should he be re-nominated?"

"No; I shall not vote for him."

"For what reason, Mr. Mayor?"

"Because he is no statesman, and I don't believe in his re-election."

"Don't you think Mr. Cleveland will be re-elected?"

"He may; but not by my vote."

The Mayor seemed to be inflicted with an "ugly fit," for, when informed that nearly three hundred officials of the City government were absent at the St. Louis Convention, he said:

"The Mayor has no power over any of the officials alluded to. But, if complaint should be made to me, and it were shown that the neglect charged has resulted from a Commissioner's absence, I should promptly remove him ; or if all the Fire Commissioners should leave the City at once, I should sign an order for their removal instantly, and leave the responsibility with the Governor."

But, while there was antagonism on the part of old friends in the Democratic ranks, Cleveland had the ardent advocacy of a large class of Republicans who were in favor of tariff reform, and who were styled "Mugwumps," although it was claimed that even these deserted him at the last moment. Be this as it may, a "business scare" was again worked up by the Republicans, taking the evasive tariff plank of the platform of the Democracy as a text; and the result was that Benjamin Harrison (grandson of the Gen. Wm. H. Harrison who was elected to the Presidency in 1840), was elected President, receiving 233 Electoral votes. Cleveland carried every Southern State in addition to Connecticut and New Jersey, while Harrison carried all the other Northern States. It is a singular fact that Gen. Harrison received a majority of 12,096 votes in the State of New York over Cleveland; while at the same canvass David B. Hill (Dem.) was re-elected Governor of the State by a majority of 18,481 over U. S. Senator Warner Miller, the Republican nominee for Governor It may be worthy of mention that had Cleveland received the 36 Electoral votes of the State of New York, he would have been elected instead of Harrison.

Cleveland, as I have stated, ran many thousand votes behind Hill; and, considering his defeat a political "finish," a manufacturer of rhymes contributed the following stanzas to the New York *Tribune* of November 9, 1888:

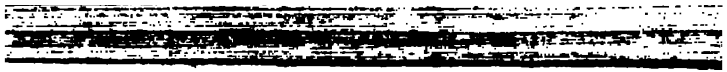
Stand up, dejected Democrats, and sing a party song;
For Grover Cleveland and Free Trade your hopes you've cherished long,
Oh sing a song of sorrow, all solemn-like and slow,
For Harrison the fight has won, and Grover's got to go.

The Mugwumps all will join you, as you wail your parting strain,
For place and power no evil hour shall bring to you again ;
The loyal North has tried your worth, your policy we know ;
Your Rebel schemes and Free Trade dreams ; and Grover's got to go.

Now, a word or two in conclusion about succeeding Presidential elections. In 1891, the friends of Governor Hill, who had managed to secure control of the State Central Committee, determined to avail themselves of their opportunity to advance his claims as a Presidential aspirant. Grover Cleveland had had two nominations, in one of which he was successful by the slender majority of 1,047 votes in this State, and in the later contest he had been defeated in this State by a majority against him of 12,096 votes, while, at the same time, as I have stated, Hill had been elected by over 18,000 majority. Hill and his friends therefore thought it was time for Cleveland to stand aside, and as the vote of the State of New York was necessary for any Democratic nominee for the Presidency, in order to be successful, Hill, who had been Cleveland's running mate, as Lieutenant-Governor, when he had been elected by the overwhelming majority of nearly 200,000, and who had since that time twice been elected Governor, ought to have an opportunity to secure the Presidential nomination, having evidenced his popularity in two hotly-contested elections.

Contrary to all precedent—State Conventions for the selection of delegates to a Presidential Convention never theretofore having been held earlier than about the middle of April—the State Central Committee, under the control of Hill's friends, issued a call for a State Convention to be held on February 22, 1892, at Albany, which was at once stigmatized by Cleveland's adherents as a "Snap Convention," and was regarded throughout the country as an at-

DAVID B. HILL.



tempt on the part of Hill to inaugurate Tammany Hall tactics in Presidential politics; and while it enabled, as was intended, Hill's friends to control the State Convention and secure to him delegates to the Presidential Convention, it also permitted the opponents of that gentleman to start a Cleveland boom against him, which rapidly spread throughout the country. The New York County Democracy still had a strong partiality for Cleveland, and rebelling against this mid-Winter call of the State Central Committee, they determined to take steps to circumvent it.

The Regular or "Snap" Convention assembled at Albany on the day named, February 22, and after making Gen. Daniel E. Sickles chairman, appointed 72 delegates to the Democratic National Convention to be held at Chicago on June 21, all in favor of the nomination of Hill for President. The anti-Hill or pro-Cleveland New York County Democracy people had organized what was called a Provisional State Committee; and, under a call from that body, a State Convention to select delegates to the National Convention was held at Syracuse on May 31. In this movement ex-Mayor Wm. R. Grace, Judge Henry R. Beekman, Judge Francis M. Scott, ex-Attorney General Chas. S. Fairchild, U. S. Sub.-Treasurer Chas. J. Canda, E. Ellery Anderson, Robert S. Minturn, Justices Kilbreth and Murray, and other leaders of the County Democracy took part. The Syracuse Convention had not the ghost of a chance for recognition at the National Convention; for it had not the shadow of regularity. It was really the organization of another branch of the Democratic party, something like the split of the "Hunkers" and "Barnburners" of earlier times. But by its organizers it was doubtless intended as an exhibit to the country that Cleveland had a strong party at his back in his own State notwithstanding party machinery was against him. It was a little singular that the room in the Vanderbilt House, at Syracuse, in which this Provisional State

Convention held its meeting, was the same in which John Kelly had met his followers after bolting from the Democratic State Convention, in 1879, and perhaps "the scent of the rose" hung around it still. The business for which this later Rump Convention was called together, the appointment of delegates to the National Convention, was of course speedily accomplished, and when the Presidential Convention assembled at Chicago on June 21, 1892, two sets of delegates from New York State were on hand ready to do battle for recognition. The regular delegation, headed by Edward Murphy, issued a long manifesto showing that Hill never had been and could not be defeated in his own State, while Cleveland had failed to carry it in 1888, and could not again carry it. But, much to the disgust of many of those who had taken part in the Anti-Snap movement, there was no fight in the Convention.

Ex-Secretary of the Navy Wm. C. Whitney had appeared at Chicago as the advocate and ardent supporter of Cleveland, and after scanning the situation, and making "all his connections," held a caucus of the Cleveland managers at his rooms on the evening preceding the opening of the Convention, when it was discovered that Cleveland had within seven of a sufficient number of votes to nominate him on the first ballot. Thereupon he advised, as did other Cleveland managers, that it would be good politics to drop the Syracuse or New York bolt altogether; that it would be unwise to evidence serious discord in New York, more especially as it was plain Cleveland could be nominated without the aid of the 72 votes of this State. Ex-Mayor Grace, who had been very active in the Provisional State Committee business, thereupon exclaimed:

> "Since we are so early done for,
> I wonder what we were begun for."

The ex-Mayor had contributed liberally to the advancement of the "Anti-Snap" movement, as much to satisfy

an old grudge against Governor Hill as to help the Cleveland end of the campaign. When he reached Cincinnati he arrayed himself in a conspicuous coat of war paint, to let everybody know he was "spoiling for a fight"—that he was in for gore, regardless of cost. After all this parade, to be so summarily turned down by Commander-in-Chief Whitney, to have all his guns spiked before he had even had a chance to say "booh" to the defiant Hill, and to see Cleveland achieve a victory without his aid, was indeed, to such a man as Grace, "a hard road to travel." But such are the inexorable conditions of politics. "Circumstances govern cases," and Grace, like another "Bombastes Furioso," had to hang up his fighting boots, and charge his share of the expense of the Cleveland bolt to profit and loss. Hill was afterwards made U. S. Senator; Cleveland somehow did not "hanker after" Grace; and Grace, soured because of Cleveland's lack of appreciation as well as because of Hill's advancement, thereafter gave politics a wide berth, and found a place in the long list of disappointed aspirants.

But, while Grace and other "anti-snappers" seemed to feel badly because they had no chance to get "knocked out" of the National Convention as they would have been, on the ground of irregularity, as surely as was John Kelly's Rump delegation in 1884, Hill's friends began to see "the handwriting on the wall" and endeavored to make a shift toward a combination in favor of U. S. Senator Gorman, of Maryland, as a candidate for President. Gorman, however, declined to be made a catspaw for the Cleveland opposition, and then the bottom of any combination against the ex-President's renomination entirely dropped out. William C. Whitney had proven himself an exceedingly adroit manager.

When the National Convention proceeded to make nominations Cleveland received, on the first ballot, 617 votes;

while 114 votes (including the 72 from New York State) were cast for Hill. Cleveland having obtained more than the required two-thirds vote, was of course declared the Convention's nominee for President.

At the Republican National Convention of 1892, James G. Blaine and Wm. McKinley (now President) were aspirants for the nomination against Benjamin Harrison, then occupying the Presidential chair; but, like Cleveland, Harrison was nominated on the first ballot, the vote being 535 1-6 for Harrison, 182 1-6 for Blaine, and 182 for McKinley. Whitelaw Reid, editor of the New York *Tribune*, was nominated for Vice-President. The result of the election, as I have already stated in this letter, was in favor of Cleveland, tariff reform having become the popular cry as against high tariff.

I have examined the files of the *Tribune* to see if the author of the stanzas "Grover Has Got to Go," had celebrated the changed conditions by a stanza or two headed "Grover's Come Again;" but, I fail to find anything of the kind. Poets are proverbially forgetful.

The Presidential election of 1896 is too fresh in your mind to scarcely need a reference. As you know, it was a financial campaign between the advocates of what was called "Honest Money" or Gold, and "Sixteen to One" or Silver—then regarded as the panacea for all our ills. McKinley, the Republican nominee, (who won celebrity from the tariff schedule which bore his name, and of which he was the originator) won the race against Wm. J. Bryan, Democratic nominee, the eloquent and very earnest advocate of silver. At the present writing, the country is again beginning to discuss the probabilities of the next Presidential campaign, which will characterize the year 1900, when I hope to have the pleasure—while extending to you those hospitalities which you have so kindly accepted—to discuss and explain in person the existing conditions.

LETTER LVI.

ORIGIN OF THE BOROUGH OF THE BRONX—A REGION ALWAYS ANTAGONISTIC TO BOSS RULE—UNSUCCESSFUL OPPOSITION OF KELLY AND ARTHUR TO ANNEXATION OF THE WESTCHESTER TOWNS—USING GOV. JOHN A. DIX AS A CATSPAW—HOW THE BOSSES AVENGED DEFEAT BY HOLDING THE ACQUIRED TERRITORY IN SUBJUGATION—NEGLECT IN ALL THINGS EXCEPT COLLECTING TAXES—REVOLT OF A LONG-SUFFERING COMMUNITY — DETERMINED APPEAL TO THE STATE FOR RELIEF—A LEGISLATIVE INVESTIGATION WHICH BENEFITED THE PEOPLE—TRIUMPH OF THE PEOPLE'S BILL—DESPERATE EFFORT OF THE BOSSES TO NULLIFY THE ACTION OF THE LEGISLATURE—GOVERNOR HILL APPROVES THE ACT OF EMANCIPATION FROM MISRULE.

MY DEAR DEAN:

Reflecting upon the culpable supineness which has characterized the citizens of New York—excepting an occasional spasm of indignation—and which characterizes them to-day, while Bosses trample upon their sacred rights and filch directly and indirectly millions of their money, it is refreshing to turn our attention to the bold and independent spirit which has always asserted itself in that part of New York now embraced within the Borough of the Bronx. The history of that territory proves that, in the face of almost insurmountable difficulties, the people, when properly directed, can swiftly strike off the yoke of Bossism and establish the rule of popular authority. Had the citizens of New York, south of the Harlem river, profited by the example set them on more than one occasion, and especially from 1889 to 1893, by the citizens north of the Harlem river, insolent one-man power in New York would have received a crushing blow long before this time. The episodes of

the struggle for civic rights in that growing section of the metropolis are at once so interesting and instructive that I shall venture a brief description of them.

Up to 1874 the City of New York was confined within the limits of Manhattan Island and a few small islands in the East river. Its area was about 14,000 acres and its population in 1874 about 900,000. The City was separated from Westchester county by the Harlem river. That portion of the county which lay next adjacent to the City consisted of three municipalities, known as the towns of Morrisania, West Farms and Kingsbridge, whose combined area was only twenty-four acres less than that of New York City at that time.

It may be well to add that the Harlem river, now the centre of so much activity, was formerly a narrow, marshy, unnavigable stream, and up to 1860, obstructed as it was by a dam at the terminus of Eighth avenue, (known as Macomb's Dam), was regarded as more of a nuisance than a utility by the public at large, and its filling up, to connect the city with the mainland, was seriously agitated. But, in 1860 or '61, through the manipulations of speculators in river fronts—with whom Fernando Wood, then Mayor, was reported to have secretly co-operated—a very expensive iron structure was erected at the terminus of Third avenue, and this settled the status of the river. Had the other proposition been adopted, a strip of land one-third of a mile wide and seven miles long, with a grand trunk sewer running through to convey the stream, would have become the property of the city and ten millions of dollars already spent in the construction of bridges, and the many millions to be expended in addition before accommodation is adequate, to say nothing of the large expenditures by the Federal Government to convert the stream into a ship canal, might have been saved. The policy adopted was a most injurious one to the territory

north of the Harlem river and to the City itself. Had the stream been closed in 1860, or even at a later period, it is impossible to calculate what the growth of the City northward might have been. Free from the irritating impediments to public travel and traffic, of which the Harlem river for two generations has been a standing monument, the great City would have advanced in rapid strides northerly, and to-day would have absorbed within its bosom the verdant and fertile soil of Westchester as far north as White Plains, as far east as the Sound and as far west as the Hudson, instead of extending itself southward and taking in the marshy swamps and sandy prairies of Jamaica and Canarsie and Newtown creek.

The founding of the village of Morrisania occurred in 1848, when a tract of 200 acres was purchased from Gouverneur Morris by an association of New Yorkers at less than $200 an acre, and the enterprise grew so rapidly that in 1855 the locality was set off from West Farms as a separate town. The locality soon became attractive for residential purposes to many denizens of the metropolis. In 1873, some shrewd and influential citizens of the towns referred to, realizing that New York needed larger territory to meet its marvelously rapid increase in population, and that the fifty thousand inhabitants of the adjacent towns, former New Yorkers, required facilities for public improvements not obtainable under circumscribed town governments, began an agitation in favor of annexing them to the City.

Among the foremost of these gentlemen was William Cauldwell, who had been Supervisor of Morrisania for sixteen consecutive years, chairman of the Board of Supervisors of Westchester county for several terms, had been in the State Assembly, and had only just about this time completed his four years' service as State Senator from that part of the State. He was joined in the movement by others who, like himself, were largely interested in the develop-

ment of that section, among whom were Lewis G. Morris, John J. Crane, Col. Richard M. Hoe, Judge Abram B. Tappen, Henry L. Morris, Samuel E. Lyon, Henry P. Degraaf, Samuel R. Filley and Hugh N. Camp. The territory proposed to be annexed, in point of scenery and soil, was perhaps unsurpassed anywhere in the world as a suburb of a great City.

At the outset the annexation movement met with many obstructions from those in political control in the metropolis. John Kelly was Boss of Tammany Hall, while Chester A. Arthur (afterwards President of the United States, as related in a previous letter) was Boss of the Republican party in this City. Both Bosses were opposed to the project. It is an established rule with Bosses, when things are running their way politically, to "let well enough alone." They have no liking for problems of political economy, however beneficial they might be to the people, if they are calculated to interfere with the existing order of things.

It is all very well to talk of the benefit which would accrue to the City and its inhabitants by some new policy or improvement or innovation, but if there is no political advantage in it, and, moreover, if there is any danger of its being a disturbing element politically, then the Boss, who is only Boss for one purpose, has no earthly use for it. In other words, the burning question of the hour with every Boss is, "Where do I and my followers come in?" This has been so all along through the reigns of Bosses which for forty years have cursed New York, checking every public improvement, unless there was politics in it, or the profits of politics, until Bossism has to-day, as it has for many a day and year, Rapid Transit by the throat, having it more than half-strangled, despite the fact that two millions of people in the Boroughs of Manhattan and Bronx pray for

it, and plead for it, and beg for it, as one of the first essentials to their comfort and prosperity.

And so, not knowing but that it might make some change in their political conditions, which were then apparently hostile, but in reality entirely harmonious, John Kelly and Chester A. Arthur secretly opposed the annexation of the territory. But the annexationists were men of determination, and by persistent effort a bill annexing the three towns passed both Houses of the Legislature. After this a new difficulty arose. Arthur urged the then Governor, John A. Dix, to veto the measure. Dix, after hearing argument in its behalf, was greatly impressed in favor of the project, and then as a compromise, and to please Arthur, he suggested that the bill be amended so as to submit the question of annexation to the votes of the citizens of New York and Westchester counties. To embarrass the movement still further the suggested amendment provided that all public improvements in the new territory should be placed under a different control from the rest of the City, as though the district was not yet good enough to be governmentally associated with the great metropolis.

Not being able to do any better, the annexationists had to accept the bill in this new form, and it thus became a law. Then the Bosses smiled, believing that it was easy for them, in conjunction with the opposition to the measure in the upper portion of Westchester county, to defeat annexation at the polls.

But there was even still another difficulty which the advocates of annexation had to contend against. By some oversight, the Act did not make any provision for furnishing election machinery to meet the requirements of voting on the subject of annexation. Extra ballot boxes, ballots and other paraphernalia were necessary, and it looked for a time as if the matter would go by default. But the public-spirited citizens interested in the success of the

movement put their hands in their pockets and raised funds to meet the emergency. Kelly and Arthur, at first pretending to doubt the legality of this proceeding, at last very reluctantly consented that an equal number of pro and con ballots might be sent out to the several election districts the night before election. Perhaps this would not have been consented to, except that they feared to be publicly charged with unfairness, nor perhaps even then, had they not fully believed that the measure could be easily defeated by the popular—or rather by the joint "machine" vote controlled by both Bosses. But the movement was so manifestly in the best interests of both communities—the City and the towns—and such is the force of public opinion when properly directed, that notwithstanding the power secretly opposing it, the annexation project was carried by majorities in each county to the astonishment and chagrin of both Bosses.

The new accession to the City was divided into two political entities legally designated "the Twenty-third and Twenty-fourth Wards of the City of New York," but comprehensively known as "the Annexed District." From the start the district was treated after the maner of a conquered province. Instead of being brought under the established system of the City, as before stated, it was placed under the control of the four Commissioners of Public Parks, who were unsalaried officials, a sort of "go as you please" Commission, which was appointed to look after the beautifying and improving of Central Park and a few small parks scattered here and there throughout the City. Like most people who take office for the "honor" or the "fun" of the thing, these Commissioners could never regard each other seriously. Each following his private avocation, day by day, might be induced once in a while to drive through the Park in the Department carriage with the Park Superintendent ostentatiously by his side, "to see how things

looked," and to receive proper obeisances from the grey-coated policemen, who, if they did not know him, assumed that he might be one of the Commissioners, because he was riding with the Superintendent, whom they did know, for they saw him once in a while. When this "duty" was performed, how proud the Commissioner felt that he had given the City such valuable public service without a dollar's compensation!

With great pomp each of these functionaries would sit one day in the week at a public meeting of the Park Board, before which assembled a large number of tax-payers, mingled with politicians and place-hunters. It is not difficult to understand that each Park Commissioner, thinking that he knew more of the subject on hand than the others, felt aggrieved whenever any of them disagreed with him. Conflicts of opinion, angry disputes and dissensions, were the order of the day. Nor was there any chance of either side giving way. There is a possibility of adjustment between men who understand what they are talking about, because one or the other can be brought to see the error of his contention, but where men are almost wholly ignorant of the subject under discussion, there is no great probability of agreement, for there is no sound basis on which a surrender can be made. Hence after a while every meeting of the Park Board was looked forward to as a source of fun for the newspapers and the public generally, until at last the people, tired of laughing, became disgusted.

It was under the auspices of this inefficient Board that the destinies of the Annexed District were placed in 1874. For sixteen years did this authority over these Wards continue, and it was sixteen years of wrongful neglect and shameful misrule. Perhaps the only thing the City officials did not neglect was to gather in the taxes.

The Park Commissioners were appointed in such a way that some of them went out of office with the installation

of every newly-elected Mayor. This kept up a panoramic change in the personnel of the Board. When some Park Commissioner began to know even a little bit of his public duties, he was retired and a new man put in his place. Whatever plans were adopted for the improvement of the 23rd and 24th Wards by the outgoing Commissioners during their terms of office, were often unceremoniously set aside and other plans substituted by the new Commissioners. But it was with the lines and grades of streets and avenues that the Park Commissioners had the greatest sport. It was said that there were some Commissioners who got more than "sport" out of it. The lines and grades of streets and avenues were changed for the special benefit of influential and interested property-owners. A small holder, unless he were a politician, had nothing whatever to say. Some conscientious Commissioners might lay out a street to run from one point to another in a straight line, but when new Commissioners came into office, some influential property-owner, finding that the proposed street, as established on the map, interfered with his house or barn, would forthwith induce the Commissioners to alter the plan, giving a deflection or curve to the street, so as to avoid that great personal calamity. Then when some property-owners came to a point where they could not use the Park Board for their own purposes, they had a bill passed in the Legislature directing that the lines and grades of certain streets and avenues be altered in the manner desired. As many as 150 of such special laws were passed from 1874 to 1890, which, together with the alterations by the Park Board, made the entire changes number over 300 within the time stated. A man might go to bed one night with a street apparently established in front of his house and before he retired to rest the next night the plan would be changed, and he might find the street located at the back of his house. There being no certainty as to lines and

grades the inevitable consequence was that comparatively few buildings were erected and very little improvements carried on.

Nor was this all the evil. Each year the City authorities made an appropriation for the maintenance and repairs of streets and avenues, the expenditure of which was under the control of petty political Bosses. A force of men was placed on the Department pay-roll presumably to work, but in reality to do little besides drawing pay. Local politicians swaggered about town, their pockets filled with appointments or "tickets" signed in blank by the President of the Park Board, to be filled and handed out as suited their judgment or their personal interest, the holder of each "ticket" being entitled to certain compensation according to his position. It is no slander of these employes to say that the work they performed did not tire them. They felt like Artemus Ward when he said that he had been idling for six months and was not a bit exhausted, and that he could start out in the same way for six months longer without hurting his health. The ordinary citizen looked on at this carnival of idleness and could do nothing, while the public highways would disgrace a half-civilized community. Before an investigating Committee of the State Senate in 1890, in speaking on this subject, I described these highways as "elongated mud ponds, punctuated here and there with turbid pools of stagnant water and malodorous filth, the ever fruitful parent of disease and death." For years the residents made no loud complaint. They acted as if they were proud of enjoying the honor, even if it were not a luxury, of being an integral part of the Great Metropolis. After being so hospitably "taken in," it would never do to grumble. I do not say it to compliment them, but those residents had remarkable patience for fourteen long years. On reflection, however, I do not believe it was patience. I think it was fear. They

had a great local Boss manufactured and equipped by Tammany Hall.

The district was a sort of an outside farm and the Boss-in-Chief named a man of great force of character, who cultivated it, after the manner of politicians. As far as material improvements were concerned, the local Boss let nature take its course, and he saw to it that politics took theirs. If any small property-owner began to make loud protests or was what was termed a "kicker," he became a marked man, and instead of securing any redress, matters were made worse for him. So that after a while the small holder began to fear that if he did not keep quiet, something would happen to him; that his taxes would be raised, or a heavy assessment levied upon his holding, or that perhaps he would be driven out altogether. On the other hand, the wealthy and influential land-owner, no matter what his politics, had it all his own way. Not only were the lines and grades of streets and avenues laid out to suit him, but the highways running through and near his domain were kept as smooth as a billiard-table. In those so-called aristocratic sections of the district where residences were a quarter of a mile apart, and where the land was taxed practically as farm-land, there was no mud, nor ruts, nor slush, nor pools of stagnant water; but among the settlers of the Twenty-third Ward, in Melrose, in East Morrisania, in Woodstock, and other parts, where was concentrated the bulk of the population, and where one lot paid as much taxes as a farm in Riverdale or Kingsbridge, the public highways were not only next to impassable, but were veritable pest-holes.

To illustrate: In the Summer of 1888 I called upon a substantial business man and property-owner in Courtlandt avenue, a thickly-settled portion of the district, and while conversing with him on business there was a heavy fall of rain. We were seated at a window, in the second

story of his house, and had a full view of the avenue for a considerable distance. Before the rain fell Courtlandt avenue was covered with layers of pulverized mud a foot deep. Travel over it by horse and truck or other vehicle sent clouds of dust into the air so thick and blinding as to obscure from sight those passing on the opposite side of the street. The heavy fall of rain beat down the dust and pulverized mud into a solid mass for the time being, until the surface of the avenue was covered with a soft, greasy-looking material. Vehicles in passing along, after the rain ceased, no longer raised dust, but their wheels sank down into the mud and slush to the very hubs, straining every muscle of the drafting horses, as the trucks and carts tossed now at one side and then at the other, according to the location and depth of the innumerable ruts and holes which were more or less concealed underneath. But there was even worse than this. After the dust and mud became consolidated so as to absorb no more water, streams of surplus rain rushed along the street from a fall in the avenue some distance off, and there being no culverts for its escape (or if there was an occasional culvert it was certain to be out of order) the water made its way into area-ways, into the basements and into the cellars of the houses and shops and stores along the avenue. It was great fun. The people seemed to enjoy it. All interested made frantic efforts to divert the tide from their own properties, building up temporary dams, while some rushed to the dilapidated culvert and tugged away at the débris which choked up its mouth. During all the scene I saw no man, woman or child having an angry face. They took it all as a matter of course. They paid their taxes; they knew that a portion of the taxes was appropriated for the repair and maintenance of the public streets, and that it went somewhere else; but what of that? Had they not the honor of being a part and parcel of the greatest City on the American Continent?

without expense to the State." This resolution was passed. Then, shortly after, came along five Senators appointed by the presiding officer of the Senate, namely, Commodore P. Vedder (chairman), of Cattaraugus county; George Z. Erwin, of St. Lawrence county; Frank P. Arnold, of Otsego county; Michael C. Murphy and Charles A. Stadler, of New York. The Joint Committee contributed and raised the necessary funds to pay all the expenses of the investigation, which lasted several weeks. The Senators, accompanied by a large number of prominent citizens, rode in carriages supplied by the Joint Committee over the district for two days. During the first day a carriage in which were Senator Erwin, John H. Knoeppel (now Concourse Commissioner), Waldo Hutchins (then President of the Park Board), and Albert Gallup, Park Commissioner, got stuck in the mud in one of the streets through which the procession passed, and the occupants of the carriage had to get out and help to extricate the horse and carriage from the immense rut into which the wheels had been sunk up to the hubs. The public press humorously commented upon this incident as an object lesson of considerable value to the investigators. The inspection of the territory ended, an elaborate luncheon was served at the residence of Louis J. Heintz, over which, although a young man, he presided with dignity and success.

After this there was testimony taken for four days, the Senate Committee sitting at the celebrated Schnorer Club, located in the district, and of which club Mr. Heintz was the president. The final hearing was at the Fifth Avenue Hotel, at which arguments oral and written were presented by Fordham Morris, Hugh N. Camp, James L. Wells, ex-Judge James R. Angel, Louis J. Heintz, John H. Knoeppel, John Claflin, Richard D. Hamilton, Franklin A. Wilcox, J. Napoleon Levy, John N. Emra and others.

As counsel for the Taxpayers it was my duty to sum up

the evidence, and in illustrating the condition of the district, among other things, I said:

Now, gentlemen, the evils referred to you have observed in your personal examination of that branch of the subject, and I doubt not that you were surprised and shocked that a district so generously favored by nature should have been so palpably neglected by man. Situated at the northern gate of this great metropolis, and a component part of it; washed on its eastern boundary by the waters of the Sound, and on its western by the Harlem and Hudson rivers, and swept by the healthful breezes of both; possessing every variety of configuration of soil; abounding in wood and dale and streamlet, and disclosing in a hundred places scenery and vistas of rare and magic beauty—thus favored and blessed, and, so to speak, pampered by nature, our district can be transformed by the deft hand of a skilful and diligent administrator of its affairs from its present pestiferous condition into one of the healthiest and loveliest spots on this continent.

Then to show the spirit which animated the Taxpayers and their firm determination to fight the Bosses to the end, I threw down the gauntlet by saying:

This movement was not started to stop or fall back. This movement cannot be checked or thwarted by a few ancient political mariners, who with stunted comprehension and inverted vision have not yet realized that the district has emerged from the bucolic condition of a country village, and that it is within the animated and animating stream and current of a great cosmopolitan city. I say it cannot be checked or thwarted, because the discontent of the people, growing with the growth of the population and pregnant with complaint, will swell into such strength and proportions that all opposition, great or small, sincere or sinister, will be swept aside. I hope and I believe that you, gentlemen, will be the authors of this great work. I hope that you will be the first to rescue the district, and by your official action to lay the foundations of a great new city and that that high distinction will not be left to fall to the lot of your successors.

The result of the investigation was most valuable to the people and was correspondingly injurious to the power of the Bosses. In the entire history of New York there is no other so striking an example of the triumph of the people over compact political machinery and power, as that which is to the credit of the citizens of the Twenty-third and Twenty-fourth Wards. But while all this was progressing

the Bosses were laughing in their sleeves. They had absolute confidence in the omnipotence of machine rule to crush the movement, so far as its object was concerned, at the proper moment.

As this battle for civic rights furnishes an object lesson to some impracticable reformers of the present day, it may be advisable to quote from the Report of the Senate Investigating Committee.

After setting forth that the Committee had spent two days in personally examining the condition of the district with respect to its streets, its sewerage and drainage, and had besides taken testimony for several days, the Report states:

All of the witnesses examined are gentlemen not only of high standing in the community, but whose present and past experience in the public affairs of the district render their opinions of special importance. Among them were Hon. James L. Wells, formerly a representative of the district for many years in both the City and State Legislature, and whose intimate acquaintance with the government of the district, and its maps and public works, adds and gives great weight to his testimony; the Hon. John D. Crimmins, for many years President and Treasurer of the said Park Department, who has large property interests in these Wards and whose testimony as to the workings of the Department relating to the district was given in such a forcible and convincing manner as to commend itself strongly to our judgment; the Hon. Albert Gallup, a present Park Commissioner, who expressed very pronounced opinions on the subject of the necessity of a change of authority; the Hon. John B. Haskin, a life-long resident, and an extensive property-owner in the district; Mr. Richard D. Hamilton, a gentleman of large and varied experience in the public affairs of these Wards; Mr. John Claflin, the well-known New York merchant, a resident and extensive property-owner in the district, and also several officers and employes of the Park Department.

The various Taxpayers' and Citizens' Associations of the 23d and 24th Wards were represented by a Joint Committee whose counsel, the Hon. Matthew P. Breen, at the opening of the proceedings, read and filed with your committee a formal complaint which has been made the basis of our investigation, which complaint concluded as follows:

"We declare that we are firmly convinced that under the influence of a careful supervision and a skillful administration of the affairs of

our public improvements, the value of real estate in these Wards would not only speedily advance, thus bringing increased wealth to the City and increased taxes to its treasury, but the present disgraceful condition of our highways, and the incomplete and incongruous system of drainage and sewerage which retards our progress and imperils our health, would cease to exist in a district which is an integral part of the metropolis of the country."

The Senate Committee's Report continues as follows:

From the testimony submitted, and from our own personal observation and examination of the subject, we have unhesitatingly arrived at the conclusion that the allegations set forth in the complaint have been substantially sustained, and that relief should be granted.

Without desiring to reflect on the Park Department or its management during an administration of 16 years, we are constrained to declare that we found nearly 60 miles of public highways in a wretched and deplorable condition, and in the more thickly populated sections almost impassable; that there are only about 6 miles of paved streets in an area nearly as large as the rest of the city of New York; that there are only 27 miles of sewers; and almost a total absence of drainage in the midst of a population of nearly 90,000 people.

Confronted with these startling facts, we are of the opinion that legislative relief becomes an imperative necessity, and that the relief prayed for should be substantially granted.

The absence of essential improvements is a constant menace to the health of this rapidly growing district, fraught with danger to the lives of its residents, and detrimental to the material prosperity of the district.

This view is fully sustained by the oral and written testimony of Hugh N. Camp, ex-Judge Noah Davis, Albert Gallup, James L. Wells, John D. Crimmins, Fordham Morris, Richard D. Hamilton, John B. Haskin, John H. Knoeppel, John Claflin, James R. Angel, Louis J. Heintz, John N. Emra, Franklin A. Wilcox, Louis A. Risse, J. Napoleon Levy, B. F. Churchill, Thomas A. Lynch, John Aitken, and the petition, properly verified, of about 700 property owners, representing in the aggregate a property value as claimed of over $20,000,000 in the district, all of which is herewith submitted, and made a part of this report.

That besides the foregoing testimony, we present the following resolution passed at a meeting of large property-owners of the district, held at the Mutual Life Building during the time of our investigation:

"*Resolved*, That the interest of the property-owners of the 23d and 24th Wards would be advanced by placing the affairs of such Wards in some department other than the Department of Public Parks.

"*Resolved*, That it be recommended to the Senate Committee that all powers now exercised by the Department of Public Parks in the 23d and 24th Wards be transferred to a District Commissioner appointed for such Wards."

The meeting referred to was presided over by Samuel D. Babcock, and among those present and participating in the consideration of the subject were the following well-known gentlemen: Wm. Smith Brown, Isaac G. Johnson, William R. Beal, Lewis G. Morris, Wm. H. Morris, ex-Judge A. B. Tappen, Nathaniel P. Bailey, Thomas H. Faile, Wm. Ogden Giles, Hon. Hiram Barney, Dr. John R. Parsons, Schuyler Anderson, Capt. Geo. Briggs, Charles Faile, Henry Lewis Morris, ex-Judge Ernest Hall, John T. Hunt, John J. Crane, Albert Schwanecke, Emil Montgomery and many other prominent citizens.

The Report, which was signed by all the members of the Committee, excepting Senator Michael C. Murphy who represented one of the Senate districts of this City, was presented to the Senate early in the Session of 1890, accompanied with a Bill the passage of which was recommended.

Now here is where comes in a practical joke on Tammany Hall. Hugh J. Grant was then the Tammany Mayor of the City, yet the proposed Bill provided for the appointment of a Commissioner of Street Improvements on the first of May ensuing by the Mayor. As such an officer was to be invested with large powers and patronage, this apparent generosity on the part of the Republican Committee on behalf of a Republican Legislature was very touching. The Tammany people who were, up to this time, strongly opposed to the proposed change, now began to look upon the grievances in the Annexed District in a new light. In New York City as well as in the Legislature, Tammany politicians openly advocated the proposed change. This was exactly the trap that was set for them in introducing the Bill in the form referred to, but the Counsel for the Taxpayers and Senator Erwin had all along a different programme in view, namely to change it from an appointive to an elective office at the proper time, and after the Tammany politicians had committed themselves in favor of placing the district under the control of one Commissioner.

There was a Committee on Legislation, consisting of twelve members of the Joint Committee, which body visited the State Capital on several occasions, appearing before the Standing Committees of both Houses, and then there was a Sub-Committee of five, consisting of Louis J. Heintz, Ferdinand Böhmer, Jr., John H. Knoeppel, James L. Wells and Matthew P. Breen, who were on hand at every session of the Legislature during the progress of the bill. And all this was done at the sacrifice of time and money on the part of each individual member of these Committees.

When the bill came up for its final passage, Senator Erwin offered an amendment, which had been prepared for some time, providing that the citizens of the Twenty-third and Twenty-fourth Wards at the Fall election select by a popular vote the officer who was to have charge of their public improvements, and in the course of his remarks said:

"It is always the safest plan to stand close to the people, and I believe that the citizens of this long neglected district should be given the right to choose their own officer, who will conduct their public improvements and control the expenditure of their money. I know the district is overwhelmingly Democratic, but I am no partisan in a matter where the rights of the people are the first consideration."

This simple but forcible statement, which was really an implied challenge to the Democrats, had the desired effect, and the Bill as amended passed both Houses. This was a signal victory in face of the fact that the Suburban Club, the Republican organization of the 24th Ward, and the North Side Republican Club of the 23d Ward, both under the control of machine Republicans, had passed resolutions in opposition to the bill and forwarded them to the Legislature.

David B. Hill, a Democrat of Democrats, was Governor. Pressure, strong and persistent, was being brought to bear upon him to have him disapprove the bill. The Tammany

leaders realized the danger ahead. They knew the people were angry with the powers that be, that the demand for a change was almost universal, and that the Tammany candidate for this particular office would be badly handicapped. Fearing that the pressure upon the Governor would prevent him from signing the bill, I, as counsel for the Taxpayers, started for the City of Troy and paid a visit to Edward Murphy, Jr., then Chairman of the Democratic State Central Committee. Finding him in his office at his brewery, after the necessary explanatory remarks I said: "As Chairman of the Democratic State Central Committee, I assume it is a part of your duty to look into the condition and prospects politically of every Assembly District in the State, especially as the next Legislature will have the selection of a United States Senator." Having nodded his approval of this proposition, Mr. Murphy looked at me inquiringly, and I continued: "Now a Republican Legislature, on the report of a Republican Special Committee, has given this measure of relief in a fight between the humble cottager and the wealthy and powerful landowner, and if a Democratic Governor shall now defeat a bill of relief that is universally and earnestly prayed for, you may be certain that our Assembly District (at this time the two Wards constituted one Assembly District) will elect a Republican Member of Assembly in the Fall." Before he could make reply I continued: "Our District is not always safe for the Democrats. James L. Wells, a Republican, in recent years has been twice elected to the Assembly, and three times to the Board of Aldermen. Now this same Wells is one of the foremost advocates of the 'People's Bill' (as the bill was popularly called at the time) and if the Governor should now destroy what has been so long fought for, on that issue Wells will be easily elected to the Assembly in spite of anything Tammany can do."

"Is Wells a candidate?" he asked.

"No," I answered, "but he will be forced into the field under those circumstances so as to make sure of a Republican vote for United States Senator."

"Well," replied Murphy, "my sympathies are on your side from what I have heard and now see from the documents you show me. I understand the matter and will see the Governor to-morrow morning." So he did; for I met him next day and he informed me that it was his judgment that the bill would be signed. The Governor, however, was so pressed on the other side with arguments, misrepresentations, falsehoods and slanders, that he came to New York the next Saturday and, hiring a carriage, was driven over the district to see the condition of the streets with his own eyes. When he returned he said that, so far from exaggerating, the taxpayers' statements did not fully describe the atrocious condition of the district. He signed the bill.

Now the sequel.

In November the district elected a Democratic Assemblyman.

The following January, on a joint ballot of both branches of the Legislature, David B. Hill was elected United States Senator. He could not have been elected without the vote of this Democratic Member of Assembly, and this Democratic vote would not have been recorded had Governor Hill killed "The People's Bill."

LETTER LVII.

THE EXCITING CONTEST FOLLOWING THE PASSAGE OF THE PEOPLE'S BILL—TAMMANY'S BOSS CONFIDENT OF WINNING THE PRIZE AT THE POLLS—ORGANIZATION OF THE CITIZENS' LOCAL IMPROVEMENT PARTY—PURROY STARTLED BY THE NOMINATION OF LOUIS J. HEINTZ—A CAMPAIGN OF ABUSE AND VILIFICATION—TAMMANY'S CARICATURE AND THE PEOPLE'S LAMPOON—CHAMPION OF ANTI-BOSSISM TRIUMPHANTLY ELECTED—CUNNING ATTEMPT TO LURE HIM INTO THE WIGWAM—PROGRAMME TO LEGISLATE HIM OUT OF OFFICE—BOSS MCLAUGHLIN FOILS THE SCHEME—BUT THE SUCCESSFUL CHAMPION OF POPULAR RIGHTS DOES NOT LONG SURVIVE HIS VICTORY.

MY DEAR DEAN:

The announcement that Governor David B. Hill had affixed his approving signature to "The People's Bill," as stated in the last letter, took the machine politicians of both parties in the City by surprise, while it was hailed with joy by every independent citizen of the City north of the Harlem River, and by many south of it, who had been watching the struggle between the people and the politicians. It was a victory of great significance because it was in the nature of a double triumph, defeating the efforts of the Republican as well as the Democratic local machines.

You may ask why should the machine Republicans of the district oppose the change of authority? The answer is that they had their representative in the Park Board in the person of Commissioner Borden, a Republican; that many Republicans were then enjoying positions in the Department, and they feared any change which might jeopardize this advantage. Besides, like all machine politicians, they looked upon an organization of independent

citizens as an impertinent interference in matters which they alone should control. And then again such a movement as the one in question had absorbed the independent and intelligent members of both parties, and thereby tended to disintegrate the "machines." This accounts for the resolutions forwarded to the Legislature by each of the Republican organizations of the 23rd and 24th Wards against the passage of "The People's Bill."

But the greatest battle was still to take place. The Joint Committee of the several Taxpayers' Associations gravely realized the importance of the election in the Fall for the new Commissioner. They felt that to permit Tammany Hall to capture the office would be to continue, under a new head, the same conditions which since 1874 had cursed the district. The machine Republicans, unable to control more than one-third of the voters of the district, could not expect to win anything, and they simply stood around, as has been their custom in New York from time immemorial, waiting for what might drop from the Democratic table. Although yet four months from election, the Joint Committee commenced to lay the foundations of their canvass. An address was issued by that body to the voters in the district, congratulating them on their victory and recommending that they see to it that no one but an independent and competent man should be elected as the new Commissioner.

Henry D. Purroy was the district leader of Tammany Hall. He was a man of large experience in political management. He had held the crank of the "machine" almost from boyhood, and he had worked it vigorously, often desperately. He held then a powerful office, President of the Fire Department, in which position he had justly earned distinction as a progressive official and strict disciplinarian. Besides, his character for personal integrity was above reproach. Purroy was more than a mere district leader. The Wards were divided politically into two districts, Jacob Sea-

bold being the Tammany leader in the Twenty-third Ward and John B. Shea in the Twenty-fourth Ward. But in reality Purroy was the absolute leader in both Wards, and Seabold and Shea were there merely to register his will and do the details of his work. Besides all this, Purroy was high in the councils of Boss Croker at that time, and all aid was to be rendered to him in the approaching battle north of the Harlem River. Tammany was in high feather. Hugh J. Grant was Mayor, and all the public offices in New York were in the hands of the faithful.

It was uphill work to face Purroy's organization under such circumstances. It was known that he was laughing at the Citizens' and Taxpayers' pretensions. But, nothing daunted, the Joint Committee sent a second document in the month of September to every voter in the two Wards, now boldly assailing Tammany and calling upon the people to organize for their own protection. Purroy still laughed at their proceedings. Six weeks before election the Joint Committee organized "The Citizens' Local Improvement Party." John H. Knoeppel was chosen chairman. Knoeppel was a wise selection. A Republican in politics, yet he was known throughout the district to be absolutely independent in local affairs. He was one of the foremost in the fight to rescue the territory from machine control. A prominent merchant of the City, and a large property-owner of the district, he was properly regarded without political ambition although devoting much time and energy to the cause of good government. A forceful and logical public speaker, he gave tone and strength to the organization over which he presided. The new organization established local branches or clubs in every election district. It formed a general committee, an executive committee and a finance committee. Among its membership were the best men of the district, rich and poor.

John H. J. Ronner, formerly the Tammany leader of the

district (in the days when Purroy was disporting himself as one of the leaders of the County Democracy), now resigned from that organization, joined the Citizens' party and was made chairman of the finance committee. Being a man of strength and character, his accession to the ranks of the Citizens' party was hailed as a good omen, and so it was, for several others in a few days followed his example.

One day, through the manipulation principally of Ronner, a large number resigned from Tammany in a batch, and this circumstance was given proper notice in the public press. Purroy had now at last stopped laughing and got into the first stages of fright. But one evening, four weeks before the day of election, he received not only a fright, but a shock, when the Citizens' Local Improvement party held a Convention in the biggest hall in the district and, with great formality and due deliberation, nominated Louis J. Heintz for Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards. His nomination looked as if it had been an inspiration, for perhaps no other man could have won against Purroy's candidate.

Louis J. Heintz was an unusually attractive person. He possessed almost every element of popularity. At the time of his nomination he was scarcely twenty-nine years of age. The nephew of a wealthy brewer, John Eichler, he received a liberal education, but at an early age entered actively into the business of his uncle, until he rose to be almost its absolute manager. As an indication of his business capacity he was about this time elected President of the Brewers' Exchange for the Metropolitan District of New York, comprising New York City, Jersey City, Brooklyn and other surrounding localities. Of extremely comely appearance, agreeable manners and off-hand liberality, he was made welcome in every society he entered. Moreover, he was intelligent in public affairs, somewhat skilled in political

machinery and public-spirited almost to a fault. But, above all, he was courageous and never turned his back in a fight. Through all the doubts and fears and disappointments which beset our work for two years, in Albany, in the fight to pass "The People's Bill," he remained steady, unbending and determined. As chairman of the Joint Committee he was liberal in entertaining everywhere he went, more especially at Albany, and he could get the ear of a "doubting statesman" quicker than any man I ever knew. To add to his highest laurels, he was an inflexible foe of official peculation.

This was the young man who, nominated by the independent citizens, and with an endorsement by the anti-Tammany element of the district, faced Tammany Hall and all its cohorts in the memorable campaign of 1890. The entire City watched the conflict. Although there was a contest for Mayor of the City going on at the same time, the newspapers devoted the larger space in their columns to the battle "beyond the Harlem"—all because it was a fight between the People and the Bosses. The contest, from the start bitter enough, became on the part of the Tammany leaders scurrilous towards the end. Finding that Heintz, off and on the platform, was cutting the ground from under them, Purroy and his followers grew desperate. It was plain that Tammany was going to sweep the City from end to end, everywhere except in the "Annexed District." It was essential to Purroy's standing in Tammany Hall, where he had a large number of open, and a still larger number of secret, enemies, that he should win, and his loss of prestige, by defeat, in a district which he claimed to have in his pocket, would endanger his very existence politically in that organization. So he and his followers, feeling themselves on the verge of destruction, had recourse, as a last refuge, to abuse and vilification.

In the midst of all the vile work of slander, some humor-

ous phases of the campaign occasionally loosened the tension. I have said that Heintz was the nephew of a brewer, and that he had charge of his uncle's business. Purroy's candidate was Louis F. Haffen, the son of a brewer, but who was an engineer by profession, and at the time of his nomination by Tammany Hall was an assistant engineer in the Park Department, against whose control of the district the people had become so much aroused. If anything more than another could prove Purroy's desperation, it was the nomination of Haffen. For years he had been hostile to the Haffen family, and the feeling, on their part, was heartily reciprocated. The primary cause of Purroy's antipathy was that some years before he had nominated and elected Henry Haffen (a brother of Louis F. Haffen) Alderman, and that Haffen with three other Tammany Aldermen betrayed him and the organization which elected him, by voting to oust John Kelly from the Comptrollership, the circumstances relating to which I have given in a previous letter. To make the matter worse, there seemed to be no explanation of this treachery on the part of these four Tammany men in voting to elect to the office of Comptroller an enemy of their organization in the person of Allan Campbell, except the one explanation, publicly charged against them, which reflected on their integrity. So that when Purroy nominated the brother of this man for this important office, the people were wondering if he had not taken leave of his senses. But the nomination of Haffen did credit to Purroy's sagacity. It was aimed to divide the German vote by placing one representative German against the other, and also the brewery vote by putting up the son of a brewer against the nephew of a brewer. Perhaps another explanation of Purroy's apparently forgiving spirit may be found in one of the humors of the campaign. Large posters were hung up in public places, and pasted on fences and dead walls, displaying a figure of one

man with his coat off (Haffen) engaged in drawing maps, and a figure of another man (Heintz) with a white apron, his coat off, his shirt sleeves rolled up, drawing beer from a keg, while underneath was printed:

FUNNY, ISN'T IT?

THE ONE DRAWS MAPS, AND THE OTHER DRAWS BEER.

This was the strong point of the Tammany campaign, namely, to show that Haffen, being a civil engineer, had qualifications to carry on public improvements, and that Heintz had none.

While the Citizens' party managers steadily refused to imitate Tammany in scurrility, they were not behind in responding to the above pleasantry, and a few days after it appeared, 20,000 copies of the following lampoon were distributed and read with such avidity and merriment by the public that the Purroy caricature, its contents and subject were forgotten:

LOOKING FOR A BIG JOB.

A THRILLING DRAMA IN ONE ACT.

Characters—HENRY D. PURROY, LOUIS F. HAFFEN and JACK SHEA.

(The dialogue is a correct transcript of the notes of a stenographer secreted in the room.)

Purroy (sitting in state at Fire Department Headquarters. Enter Haffen, timidly, with hat in hand.)—"Well, sir, what do you want?"

Haffen—"I came to—well, to ask your nomination for the new Commissioner."

Purroy—"What is your name?"

Haffen—"Louis F. Haffen, sir."

Purroy—"Are you related to Henry Haffen, who was once my Alderman?"

Haffen—"I am his brother, sir; but I'm not like him; I'll stick to you."

Purroy—"Are you competent for this office? Are you a man of push and energy?"

Haffen—"Yes, sir."

Purroy—"How can you prove that?"

Haffen—"Well, some years ago, I got $5,000 from my father to start in life with. I went out West, and lost it all very quickly."

Purroy—"That doesn't prove that you have push and energy."

Haffen—"I walked all the way back."

Purroy—"Oh! I see. Then you didn't get along out West?"

Haffen—"No. The people didn't seem to appreciate me. They don't know a good thing when they see it out there."

Purroy—"Are you a man fresh from the people?"

Haffen—"I'm from the Park Department, and you can see that I am fresh."

Purroy—"How long have you been in the Park Department?"

Haffen—"Seven years."

Purroy—"What salary have you had?"

Haffen—"Most of the time, $1,200 a year."

Purroy—"Why didn't you get more?"

Haffen—"They wouldn't give me any more."

Purroy—"Then they also don't know a good thing when they see it."

Haffen—"That's it, exactly."

Purroy—"You don't expect to have a mind of your own in this business, do you?"

Haffen—"Certainly not."

Purroy—"Do you know Jack Shea?"

Haffen—"Yes, sir."

Purroy—"Jack would make a good Deputy Commissioner."

Haffen—"Fine."

Purroy—"You will need Jack to look out for the patronage. You will be bothered for places by a lot of fellows who are no good to us. You don't know the men who do our work; but Jack does, and can place them where they belong. The Citizen's party call my followers the "Gang," but you never mind; they are all good fellows. You can do the surveying and let Jack do the other business."

Haffen—"I always liked, and I heard big Tommy Hughes say that Jack had a great big mind."

Purroy—"That will do, Mr. Haffen. I'll see Jack."

[Exit Haffen and enter Jack Shea.]

Purroy—"The plan worked like a charm, Jack. He is crazy to run, and if by any chance he should win, we can handle him like a baby."

Shea—"How can he be elected when I couldn't? I'm a thousand votes stronger than he is, and I wouldn't run. Tammany hasn't over

5,000 votes in the District at the best. The total vote will be 18,000, and 5,000 can't beat 8,000. Then look at all the desertions from our ranks. We can't poll 4,000 votes."

Purroy—"Well, I tried to get Moebus, Zeltner or Wilkins to run so as to divide the Dutch vote, but they declined. Let Haffen take it. His folks will put out money, and if anybody is to be beaten it would suit me better that he should be a Haffen than anybody else. Send Haffen to me again."

[Exit Shea, and enter Haffen, looking anxious.]

Purroy—"Can you hold your own in a debate with the members of the Board of Street Opening and the Board of Apportionment?"

Haffen—"Well, sir, if you nominate me I will paralyze you with the speech I will make at the Convention."

(Purroy heard the speech and was paralyzed. So was the Convention.)

The result of the campaign was the election of Heintz for a term of six years. When he entered upon the duties of his office on the first of January, 1891, he was confronted with the difficult task of organizing a new department, but being a thorough business man, he soon had everything running smoothly and satisfactorily. For two years I had been closely associated with him and I know the high purposes he had in view relating to the public improvements affecting the territory north of the Harlem River. For the professional services which it was my lot to render in that great movement—great because it points out how political Bosses may be defeated—Heintz started, without my knowledge, to quietly solicit subscriptions for the purpose of raising $5,000 to remunerate me; but, having found out his intentions, I peremptorily declined the proposed benefit. A couple of months after this a delegation waited upon me at my residence and presented me with a testimonial beautifully engrossed and framed. I value it much more than $5,000. Trusting that it may be regarded as a pardonable pride for me to refer to it, I give its text as follows:

At a meeting f the Joint Committee of the several Taxpayers Associations of the 23d and 24th Wards of the City of New York, held at

Headquarters, 163d street, near Third avenue, on Friday evening, December 12, 1890, the following resolutions were unanimously adopted:

Resolved, that the thanks of this committee be and the same are hereby most heartily tendered to the Hon. Matthew P. Breen, the attorney and counsel of the Joint Committee of the several Taxpayers Associations of the 23d and 24th Wards for the exceedingly laborious and efficient services gratuitously rendered by him during the last two years on behalf of "The People's Bill" creating the office of Commissioner of Street Improvements of the 23d and 24th Wards, in intelligently presenting the complaints and grievances of our residents and skillfully conducting the examination of the same before the Special Committee of the State Senate charged with the investigation of our local affairs, in the thoughtful preparation of the necessary legal measures for introduction in both branches of the State Legislature, and in ably advocating the same before the Standing Committees of that body and before the Governor.

Resolved, that we cheerfully record the fact that the successful enactment of "The People's Bill," a measure so essential to the progress and welfare of this portion of our city, is largely due to the undaunted courage, zealous perseverance, skillful management and patriotic motives of Hon. Matthew P. Breen, and that his course in the matter is worthy of the highest commendation.

Resolved, that these resolutions be suitably engrossed and presented to Mr. Breen, and that a copy of the same be furnished to the press of the city.

LOUIS J. HEINTZ, *Chairman.*
JAMES L. WELLS, *Treasurer.*
JOHN OSBORNE JR., *Secretary.*

Tammany, although triumphant throughout the City, was stopped in its onward march when it reached beyond the Harlem. What did it? Intelligent agitation and the courage of the independent voter.

But Tammany did not intend that a Democrat such as Heintz was—he having been, up to the time of his nomination by the Citizens, a member of Tammany Hall,—should remain outside of its fold for six long years with all the power and patronage of his Department. Accordingly a movement was started by the Tammany braves to capture Heintz and lead him into their own tepee. As a bait they were willing to make him a Tammany leader.

This was such an extraordinary honor in their eyes that it was assumed as a matter of course that he would readily accept it. A certain busybody, whom we shall call Straddleback, was carrying on the negotiations and acted as a go-between. Straddleback did not reside in the district, but pretended at the Tammany Headquarters that he could influence Heintz, and as it would greatly add to his own importance if he brought the new Commissioner into Tammany Hall, he bent every energy in that direction.

Under the provisions of the new reapportionment there was to be a division of the territory into two Assembly Districts. Mayor Thomas F. Gilroy was chairman of the Tammany Hall Committee charged with the duty of making the new divisions.

As a further inducement to Heintz, the Tammany Committee cut out a district for him so that all the breweries in the district but one and the principal lager beer and drinking saloons were corralled within it, leaving Purroy a scattered and zig-zag district, which was four miles long at some points and running all the way from less than a quarter of a mile to a mile and a half in width. The division was wholly unsymmetrical and transparently unjust. Purroy protested, but after his defeat who would care to listen to him? Straddleback had assured the Tammany people that Heintz would of course be glad to accept and everything was arranged accordingly.

Then, when it was all done, after the district was politically mutilated, after Purroy had been grossly insulted, just think, Heintz peremptorily declined to be captured. Not only this, but he gave no patronage to Tammany Hall, but, like the man that he was, ignored it and gave the patronage to the anti-Tammany organizations that supported him in his election. Then Croker got angry and threatened. Heintz defied his threats, and told the pretentious busybody, Straddleback, who conveyed the

threat, that he was not afraid of Croker. Then, in the session of the Legislature of 1892, a bill was prepared to legislate Heintz out of office and putting all the public improvements of the Annexed District under the Commissioner of Public Works. It was all settled that the bill was to be introduced in a few days and rushed through. Having satisfied myself that the bill was in readiness for the coming week, I called on Ex-Senator Ecclesine, who was well-acquainted with Boss McLaughlin, of Brooklyn, and knowing that such a bill could not pass without the aid of the Brooklyn delegation in the Legislature, I asked Ecclesine to lay the matter before McLaughlin, who would not be likely to sanction such injustice. Next day, he and I went to Brooklyn. He went to see McLaughlin, in Willoughby street, while I waited at the Clarendon Hotel, near at hand, for his return. When he had seated himself, after his visit to McLaughlin, Ecclesine said: "What a difference there is between the two Bosses, on either side of the East river; the one laughs at principle in politics, the other seems to be guided altogether by it. McLaughlin did not need much explanation about Heintz's fight north of the Harlem, as he said he knew a good deal about it from what he had read and heard, but he was astonished to hear that any attempt was going to be made to legislate him out of an office the people had elected him to. Now," said the Senator, "I will give McLaughlin's exact words as I remember them: 'It's a mean way to get square with a man who beats you at the polls. The manly way is to wait and beat him back. I am against legislating out of office any man who has been elected by the people, and when our folks come from Albany I will tell them so.' And," said the Senator, "I'll bet you a bottle of wine you will not hear of the anti-Heintz bill again."

Next week I was in Albany, and running across a Brooklyn Senator who was close to McLaughlin, he desired me

to say confidentially to Heintz that there was a movement on foot to legislate him out of office, but that *he* was going to stop it. He did not know of my friend's visit to McLaughlin, and I did not tell him.

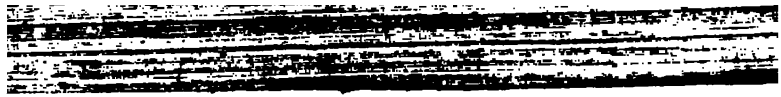
Nothing further was heard about the bill, and Heintz remained unshaken in his independent and defiant attitude. After administering the office for a little more than two years, Heintz, while attending President Cleveland's second inauguration, contracted a cold, which terminated in his death in March, 1893.

The death of Louis J. Heintz was mourned as though a personal calamity had befallen every household in the district. His administration had brought order out of chaos. It established on a firm basis a system of conducting public improvements at once economical and efficient. The new order of things was worth untold millions to the district.

Thus had the public affairs of those Wards been conducted by him and his successor for seven years, until the system was ruthlessly abolished by the Greater New York Commissioners who established what is called the Borough System of Government, but which in reality deprives the people of the Borough of almost every vestige of local government and local responsibility, and under which the district has relapsed, as far as it can, into the old rut of conducting public business.

What are *they* going to do about it?

RICHARD CROKER.



LETTER LVIII.

How Richard Croker Became Boss—A Man of Nerve and Cunning—Herculean Efforts of a Few Brainy Men to Upbuild Tammany's Shattered Fortunes After Kelly's Death—Croker Steals the Credit—Saturnalia of County Democracy Leaders—The Irish Flag Antics of Mayor Hewitt—Tammany's Victory—Croker Controls the New Mayor, Assumes Command and Clips the Wings of Rivals—An Expert Witness Before Investigating Committees—Perhaps the Highest Living Authority as to What is "Private Business"—Croker's Surprising Spring from Indigence to Affluence—Now Declares His Intention to Run Judges as Well as Race Horses—His "Greatest Political Show on Earth"—But He Only Promotes "Old Wheel Horses," Keeps Out Royal Bengal Tigers, Controls the Box Office, Pockets the Gate Money, and "It's Dead Easy for Him to Keep on Top in the Game"—But There's Trouble Ahead.

My dear Dean:

It is not an easy task to write with calmness and discretion concerning political conditions whose irritating influences surround the writer even while he is engaged in describing and reviewing them. Still more difficult is it to faithfully and impartially portray the political personage who directly and immediately represents such conditions and who at the time of such writing is exercising a despotic political ascendancy at variance with the spirit of our institutions and inconsistent with the independence of American citizenship.

After all I have shown of the past, after all we have seen of the one-man power in politics and the wrongs and infamies which such power engendered and fostered, it is

now difficult to write of shameful subserviency to the methods and dictation of a political autocrat, without a sense of humiliation and a sting of impatience. Nevertheless, in these letters Richard Croker will have fair play. Whatever there is of good in him or of him, as well as what there is objectionable in his political character and conduct, will, so far as the writer is able, be correctly and fairly recorded. Indeed, I am free to admit that, no matter how culpable Croker may be, his culpability is not nearly so great as that of the hundreds of thousands of citizens who, having the power to check and obliterate his rule, complacently submit to it. His assumed political dictatorship might be regarded as a farce, if it were not so scathing a disgrace to the community which tolerates it, curses it, and laughs at it.

In dealing with Croker, of course the most important consideration is that which relates to his present exalted and almost unlimited power, as the political Boss of our City. It is with his overshadowing influence in the body politic that we have to deal, rather than with what his earlier career had been, when he was of small consequence in the community. Of little moment is it to us now, whether his early life was good or bad—whether he was a person of scant education and inferior surroundings, or whether he was brought up under the influences of moral teachings and good examples; whether he had fought a prize-fight on Sunday morning, or had been a pious and meek Superintendent of a Sunday school. Many men who have been brought up amidst surroundings similar to those from which Croker emerged, became afterwards strong in moral proportions and ended their careers respected and honored by the community in which they lived.

If, therefore, in order to complete the history of a man who exercises potential sway over the public affairs of the second City of the world, I am obliged to travel back to his

early career, it is not because it is an agreeable task. I take no delight in dwelling on this part of his life; and if I must discuss it, I shall approach the subject, to employ a figure of Lord Macaulay, with the feelings of a surgeon about to perform a severe operation which he knows to be necessary.

Croker is at present in your country (England). On the occasion of his recent departure from these shores, the Tammany office-holders, bearing flowers and garlands, assembled in large numbers on the pier from which their chieftain embarked, cheering lustily and waving their adieus with unusual fervor. But there were others—a large number of Democratic politicians of the city, many of them in Tammany Hall—who would have gladly joined in the demonstration and waved their adieus with even still greater fervor, were they convinced that he would never return.

Croker has so often left these shores for Europe that his departures are not of late attended with any unusual ceremony, and the demonstration above referred to was for the purpose of emphasizing his alleged triumph before the Mazet Investigating Committee. This committee consists of five members of the lower branch of the State Legislature which had been appointed by resolution of the State Assembly with instructions to examine and report into the conduct and management of the various Departments of the City, and other matters in connection therewith.

Croker was summoned before this Committee and examined. He is now an expert witness in this line, as he had been before the Fassett Committee in 1890, and before the Lexow Committee in 1894, and now for a third time before the Mazet Committee. Croker's examination by the Fassett Committee in 1890 disclosed the fact that, although only a short time before in straitened financial circumstances, he was then in the enjoyment of considerable

wealth. This sudden jump from indigence to affluence aroused the curiosity of the Committee, and Fassett, who was an up-country statesman, made laudable efforts to unravel the mystery. It was shown clearly that Croker suddenly burst forth into wealth, like another Monte Cristo; that he had no business, not even "private business;" it was certain he had no mint of his own, and how on earth he "got it" was a puzzle to the bucolic innocence of Fassett and his Committee. Of course they had a suspicion. They even traced a little portion of his wealth. Croker had a brother-in-law, named McCann, or, to be strictly correct, Croker and McCann were married to two sisters. Possibly partly through spite and partly through envy that Croker was getting so rich without a corresponding rise in his own financial condition, which at the time was very low—for why should not one brother-in-law be as good as another?—McCann went before the Fassett Committee and gave his relative "dead away." He stated that Hugh J. Grant, whom Croker made Sheriff, had given Croker a large amount of money, presumably part of the Sheriff's perquisites, and made many damaging statements in connection therewith. Grant went on the stand and said it was only a trifling matter of $10,000 which he gave to Croker's little daughter, for whom he stated he was godfather, and that there was no harm whatever in it.

Croker's examination by the Lexow Committee, in December, 1894, was a very tame affair. It was after election; Tammany was beaten, and Croker declared that he was "out of politics," and possibly the Committee said, "What's the use?"

But if Croker was wealthy before, it was as nothing to the wealth he sprang to afterwards. His last examination by the Mazet Committee, in May, 1899, was perhaps the most serious. Platt, the great Republican Boss who ruled the Legislature, and who of course had adequate influence with

the Mazet Committee, was no longer an admirer of Croker, and the Committee began to probe into Croker's affairs in earnest. Croker answered when the questions suited him, and declined to answer when they did not suit him. He was asked if he was not worth millions, and scornfully refused to answer. He was asked about various transactions, and he answered: "That is my private business." This answer was given over and over again, with great success, apparently. Other prominent Tammany men were subsequently examined, and they followed the same course, pleading the "private business" doctrine laid down by their chief. So that Croker may now be regarded as the highest living authority on what is "private business."

But by far the most significant admission made by him on the witness-stand was an admission to the effect that he nominated Judges with the expectation that they would extend favors to him and his organization, and that he had refused a renomination to Judge Joseph F. Daly because that Judge had declined to comply with Croker's orders in the exercise of certain of his judicial functions. Serenely unconscious of the degrading light in which he was picturing every Judge receiving or expecting a Tammany nomination, Croker gave this testimony with the air of a man who was proud of his authority, and threw out the undisguised intimation that aspirants for Judgeships hereafter should draw a solemn warning from the fate of Judge Daly. Had Croker been speaking of some directions given to one of his trainers or jockeys on the race-track, he could not have had more of a matter-of-course air about him than when intimating that Supreme Court Judges were expected to take orders from him.

But, as more will be said on this subject in a subsequent letter, it may be best to explain—what, doubtless, you are anxious to know—how Croker has acquired and exercised for years, and still exercises at the time of this

writing, almost despotic political sway in a great city like New York. It is an interesting problem, yet it need not be a very perplexing one in the light of what you already know concerning Bossism and the "machine."

Croker has reigned as Tammany's Boss, absolute and unquestioned, since 1886, a period of twelve years, and his method of holding himself in power in spite of his record of running away twice (1894 and 1896) from the field of battle, when he saw a cloud of danger hanging over the Tammany forces, and in spite also of the ambition of many able and educated Democrats in New York to depose him, is worthy of discussion. But, first, it may be advisable to relate the chapter of accidents whereby he was able to acquire such power. Although Croker may be said to be, to use an expression of Lord Thurlow, "an accident of an accident," yet he could not have reached the leadership of Tammany without the exercise of the deep cunning and burrowing instincts which are the leading characteristics of his nature. It cannot be denied that, without the advantages of education, and handicapped by a coarse, rough, early career, the manner in which he seized opportunities and stepped to the front, past men of standing and ability who stood side by side with him after the retirement of John Kelly from leadership, stamps him as a man of courage, if not of capacity.

To understand the situation it is necessary to go back. John Kelly in the fall of 1870, while Tweed was reigning supreme, was spoken of as an opposition candidate for Mayor against A. Oakey Hall. There were at that time audible murmurs against the Ring, as explained in a preceding letter, and it was thought that "Honest" John Kelly, nominated on an independent ticket and supported by a Republican nomination, would be elected. But Tweed, as usual, was so intrenched in the "affections" of the Republican machine leaders, that it was soon discovered that

Kelly could not receive Republican support. So, under the advice of his physician, Kelly went to Europe for his health, although Mayor Hall used to say, boastingly and flippantly, afterwards: "I am the medical adviser who drove Kelly to Europe." Kelly remained in Europe until the disclosures of the Ring frauds startled New York and resounded throughout the world. On his return, and after Tweed's resignation as Grand Sachem of the Tammany Society, Kelly was chosen as chairman of a committee to reorganize the Tammany organization, all of which I have also explained in a previous letter. During Kelly's absence, and up to the time he obtained control of Tammany, Croker was holding a place from "Slippery Dick" Connolly. He now made a quick turn and became an early follower of Kelly, which even then showed the political cunning for which he has since become famous. Of all Kelly's characteristics, his susceptibility to flattery was the most prominent. He regarded the prefix "Honest" to his name not only with unfeigned gratification, but was induced to believe that, among a million of people, he was the only one who could lay claim to that distinction. He believed that his judgment was infallible. Any man who differed with him in the smallest particular, after he had given his opinion of men or measures, was regarded by him with grave suspicion forever after. He needed the treacle of flattery to be put on so thickly that its constant application was necessary to his serenity. Notwithstanding this failing, he was a man of kindly instincts and inflexible integrity.

The purpose of Kelly's leadership was, if anything, too lofty. He would uphold a principle at the sacrifice of policy. He would undertake a two years' fight under overwhelming odds—as he did with Mayor Grace, whom he denounced as an ingrate—with as little hesitation as if it were only to last a week. He hated sham and false pretence.

He never harbored the slightest inclination to make money by surreptitious methods. He would have scorned to use his power and his honorable station as leader of the Democracy to bleed corporations. His heart was too good to drive struggling City contractors to the wall, by secret underhand methods, in order that the profits of such enterprises might be diverted into his own grasp. He would have regarded it as a rank indecency for anyone to assert that he controlled Judges in the exercise of their functions. He never countenanced the crouching sycophancy of high judicial officers, which degrades the judicial station and shocks the thinking public. With all his self-importance, he would have blushed to receive court, night after night, from Supreme Court Judges, who bow so graciously and smile so sweetly, careless of who may be observing them, when showing homage to the Boss, as the time for their re-election approaches. In the most supreme phase of his audacity, he would not have dared to admit, even if it were true, that he retired a Judge from the Bench who refused to obey his mandate. Kelly would have thrown up his hands in holy horror at the suggestion that a leader of the Democracy could make money out of the crimes and frailties and misfortunes of human nature. Had an Investigating Committee overtaken him, how proud would his answers have made Democrats! With what exultation would his followers have read in their homes and public places, that their leader had fearlessly given an account of his stewardship; that his public life was an open book; that he could tell the people of the State, through its Investigating Committee, that the leader of New York City's Democracy had no unaccountable wealth; that, so far from any part of his means being covered with suspicion, he could lay bare, without fear or hesitation, the sources of his comparatively modest fortune. Although no man was more fearless, Kelly would have felt that it was his

duty to answer; that the honor of his party in this City was involved in his integrity as leader; that, as the great mass of the Democratic army were honest men, earning their livelihood by the sweat of their brows, it was due to them that their leader must show himself, without technicality or quibble, to be an honest and honorable man. He would have felt so degraded, had he to hide himself behind sham defences, that, in the interest of his party, if not for very shame, he would have promptly resigned his leadership, and he would probably have had sense enough not to tarry until his humiliated followers retired him, as they undoubtedly would.

John Kelly was honorable, sensitive, proud. His self-esteem developed into great conceit and great vanity. But, with all his vanity, it is incredible that he would have been silly enough to say, as did his saintly successor, Richard Croker, in his interview with an English editor, that in his whole life he never did one act which he "ought not to have done," nor would he have indulged in the pharisaical hypocrisy of saying, "I have done only good all my life." Kelly was a man of strong attachments to those who could worm themselves into his affections. This Croker had succeeded in doing, and thus he became close to Kelly. But this closeness was not on the basis of equality at all, or on the theory of holding consultation with Croker on any of the grave political problems which gave Kelly such disturbance; for, while he had confidence in Croker's loyalty, he well knew his deficiency intellectually. So that Croker's relations with Kelly might perhaps be better understood by describing him as Kelly's political servitor, who enjoyed the great man's confidence in numerous little things. It is therefore easy to understand how, on Kelly's partial retirement from leadership, all the executive work was carried on by Croker, and how the district leaders, knowing his relations to the Boss, began to take orders from him.

This system of conducting the affairs of the organization continued until Kelly's death. Then the control became apparently lodged in four persons—Richard Croker, James J. Martin, Thomas F. Gilroy and W. Bourke Cockran. Then there were George H. Forster, Frederick Smyth, Hugh J. Grant and (later) Henry D. Purroy, who stood close to this central control. I said control, not power; for, in truth, they had no power, because they had no patronage. Tammany's patriotism and burning love for popular rights are bound up in that one word "patronage." The Tammany people had hardly an office in the whole City goverment. Those were hungry days for Tammany. Kelly did it. His reckless fights, his unbending stubborness, which many of his followers irreverently but whisperingly termed "pigheadedness," had expatriated the old organization from the pasturage which was theirs by right of inheritance, and a merciless band, whom the Tammany orators described as "Goths and Vandals," had taken possession of the "fleshpots." Tilden and Robinson and Whitney and Thompson gave Tammany no quarter, and of course no patronage. It was easy to settle differences among Tammany leaders in those days. Indeed, they had no differences, for there was nothing to differ about. Had Richard Croker, or James J. Martin, or Thomas F. Gilroy, been asked to take the absolute Bosship of Tammany, every one of them would have modestly declined. Each would meekly have said that he was not good enough for so high an honor. So they all worked together in perfect harmony, like so many turtle doves, "for the good of the party." It was solemnly announced that Tammany Hall would never again have a Boss; that Bossism was dead forever; and that a "broad and liberal" administration of Tammany Hall, where "every man will have a voice," was now established forever more.

The brainy men of Tammany—Cockran, Gilroy, Martin and Forster—laid plans to restore Tammany's shattered

fortunes. They worked laboriously and intelligently. They studied the art of catching votes. For every wind they adroitly set the Tammany sails. Preambles and resolutions on almost every conceivable public topic were prepared by them and hurled forth from time to time on an unsuspecting community as the "voice of Tammany Hall." Cockran, the eloquent, would speak to these resolutions (which he himself had drawn) and rouse up the drooped and drooping spirits of the Tammany hosts, and even decoy them into momentary applause. No higher tribute could be paid to eloquence; for Tammany had no use for shouting, in the absence of patronage. The resolutions themselves were masterpieces. One of these fulminations would breathe forth, in the highest forms of rhetoric, "the sacred rights of the people." Another would dilate in scathing terms on the "gross wrongs to the working classes." Another would denounce in weird language "the crushing and grinding monopolies." Another would make frantic appeals for "home rule." Still another would hysterically appeal to oppressed fellow citizens to shake off "the paralyzing grasp of political dictators"—which, in this case, meant the County Democracy.

Not satisfied with thus endeavoring to adjust domestic affairs, they widened the sphere of their paternal functions. With a burning zeal in the cause of humanity, they adopted resolutions, in soul-stirring periods, sympathizing with "the Irish people in their noble struggle for freedom," and, so as not to be suspected of partiality, they issued terrific denunciations of the "despotic tyranny in Siberia." In fact, they declared, by the most solemn asseverations, that Tammany Hall was ready at all times to step forward and crush out wrong and injustice wherever they might appear in any quarter of the globe.

Human nature is queer. After a while the people began to listen, then to be attracted, and finally to be captured by

the flowery chaff of eloquence spread before them. Croker had as much to do with all this as the Man in the Moon. But he was around, and looked wise. No man that ever lived was half as wise as Croker sometimes looks. By his cunning methods, hints, smiles, winks and innuendoes, he convinced many that it was he who was setting the whole machinery in motion. Was he believed? Wait and see.

While Tammany was thus engaged in this process of political inoculation, the leaders of the County Democracy were pompously parading the political arena. Thompson, day after day and night after night, gorging himself like another Heliogabalus; Power (Maurice J.) as imperious as Bismarck, occasionally studying Webster's Dictionary to pick out some big word wherewith to dumbfound his followers, or, rather, the followers of his patronage, for he had no followers *per se;* Costigan, the gay and festive humorist, whose skill in politics was even superior to his wit; William Pitt Mitchell, the bland, the sweet and resigned apostle of political prosperity; and a score of others, of more or less, but generally of less, political importance. And so they went along, or strutted along, apparently unconscious of the growing strength of Tammany Hall.

Abram S. Hewitt was Mayor. He hated Tammany then. He was a great intellectual force. In many respects, his ideas of running the City government were commendable. But he was testy, abrupt and irritable. He was irreproachably honest in all his intentions. He received so many encomiums as a model public servant, that he regarded himself as another Daniel come to judgment. But the wisest man that ever lived is apt to run up against a snag in New York politics. Mayor Hewitt at this time bumped against a big one, which helped to bring disaster to him and his faction.

On March 7, 1888, a committee, representing a Convention of 200 Irish-American societies, visited Mayor Hewitt,

at the City Hall, to invite him to review the forthcoming St. Patrick's Day Parade, after the fashion set by other Mayors for nearly two score years before. The Committee comprised Edward L. Carey, Hugh Murray, James Mullins, Peter Madden, Terence Reilly, Daniel Cullen, John McGuire, Terence Donahue, Michael Finnegan and Edward Dowdell. How the deputation was received by Mayor Hewitt is thus narrated in the *Sun* of the next morning:

With his hands deep in his pockets the Mayor said: "I may be a candidate for Mayor or Governor or for President [here the Mayor turned a humorous glance on the bystanders], and I may want all the Democratic votes I can get. We all know that the Irish vote is strong enough to elect any candidate in this City for whom it is cast. But, for the purpose of getting that vote, I shall not consent to review any parade, be it Irish, or Dutch, or Scotch, or German, or English. I tell you now that I shall review no parades except those which I am officially required as Mayor to review."

This unexpected flat refusal took the Committee's breath away for a moment. Then Mr. Carey said that every Mayor, for thirty seven years, had reviewed the procession on St. Patrick's Day, and none of them thought it was lowering his dignity to do so.

"We do not ask this as Irishmen, but as Irish-Americans," he said. "Previous Mayors thought themselves honored in being asked to review the parade of the Irish Societies. Even you yourself last year asked to be excused, not because you objected to doing so, but on account of your rheumatism. We believed this year that St. Patrick had taken the rheumatism all out of you, and it would give you pleasure to review us. We believed that, in honoring us with your presence, you also were honoring yourself."

But by this time the Mayor was ushering the Committee toward the door.

"Gentlemen, you have my answer," he said. "I shall not review your parade on St. Patrick's Day."

There are some men so constituted that, after being satisfied they committed a blunder, instead of making an effort to rectify it, they go on, so to speak, improving on it. So it was with Abram S. Hewitt. The politicians of the County Democracy, who were sponsors for Hewitt, disturbed at the probable political effect of Hewitt's behavior,

claimed that perhaps the Mayor was not approached in the proper way, or that he might have been sick that day, and that the matter would be made all right before the day of the parade. The Tammany politicians, on the other hand, professed to be greatly shocked at the Mayor's irreverence and were, of course, visibly affected. Then the public press, to add fuel to the flame, discussed the subject from every standpoint with as much apparent gravity as it would a declaration of war by the President. The newspapers had great fun for several days. But Hewitt took the discussion seriously, and he began to study the subject for himself. The more he studied, the worse it grew for the County Democracy, and the better for Tammany. The time was when Mayors were only too proud to see the Irish Flag floating over the City Hall on St. Patrick's Day. But the result of Hewitt's study convinced him that such a demonstration was hostile to our institutions and menacing to our liberties. And so he cruelly ordered that the ensign of Erin should not wave from the flagstaff of the City Hall. Neither the ponderous logic of Power, nor the persuasive suavity of Costigan, nor the oracular admonitions of Mitchell, nor George Caulfield, nor Billy Butler, nor "Fatty" Walsh, nor the whole Executive Committee of the New Amsterdam Club (where the County Democracy leaders used to recline at ease) could shake Hewitt from his awful purpose to ignore the Irish flag. Once having torn himself loose, having gnawed to pieces as it were, like a ferocious tiger, the political bands that bound him, Hewitt rushed forth with daring recklessness; for, not content with what he had already said and done, he now publicly insulted the entire Irish element. He gave out to the public an elaborate analysis of the inmates of Alms Houses and pointed with glee to the number of Irish who were living on the charity of the City. He announced that he was going to run for re-election as Mayor, and his evident purpose was to test the question,

once for all, whether by thus boldly avowing his disregard of the Irish vote and influence, the native American element, supported by the Germans and others, would not consolidate their forces upon him and bring him in a victor.

At this the people of New York, always broad, liberal and sensible, made up their minds that Hewitt entertained prejudices which were unworthy of him. New Yorkers have never failed, at any rate in modern times, to stamp this out whenever they have caught a clear sight of it. Election time came on, and the County Democracy, "all plaided and plumed in their tartan array," with Lochiel Hewitt as their standard-bearer, took the field. The County Democracy owned almost everything in sight in the way of public office and public patronage, with all the innumerable ramifications of influence incident thereto. Hewitt, a millionaire, a former member of Congress, with a national reputation as a statesman—he to be beaten in his native city, which he had so long honored and blessed by his presence? Nonsense! Who could do it? When Wizard Power whispered advice to him, on the eve of the battle, to take a back track on the Irish matter, and beat a diplomatic retreat, and imploringly begged him to save himself, and especially Power and the others from destruction, Lochiel Hewitt became indignant and replied (in substance):

"Down, soothless insulter! I trust not the tale; for never shall Hewitt a destiny meet, so black with dishonor, so foul with retreat. Though my perishing ranks should be strewed in their gore, with Mitchell and Costigan and a thousand such more, Hewitt, untainted by flight or by chains, while the kindling of life in his bosom remains, shall victor exalt, or in death be laid low, with his back to the field and his feet to the foe, and leaving in battle no blot on his name, look proudly to Heaven from the death-bed of fame."

The Wizard, now thoroughly alarmed for Lochiel's mental condition, retired in melancholy disorder.

Why should not Hewitt have courage? For, thought he, who are my opponents? Joel B. Erhardt, a Republican,

who can at best only poll the machine vote of his party, and the Tammany candidate, Hugh J. Grant, a callow youth, of defective education. But the eccentricity of the people is marvellous! Grant came in first with a plurality of 41,074; Erhardt came in second; while the philosopher, the statesman, the lecturer and reformer, lagged behind, dejected and bedraggled. It was a fight for a principality. The County Democracy lost. Now all their rich possessions were to be taken away from them. Who did all this? The County Democracy leaders blamed Hewitt, alleging that his senseless assault on the Irish element did it. Hewitt, on the other hand, stated that the County Democracy leaders, with their suspicious affluence, with their favorite contractors who were bilking the city, with their flock of buzzards hovering about the several Departments, with their insolence and total disregard of public opinion, disgusted the honest voter and brought disaster even on so good a man as himself. Perhaps, when you reflect a little, you may conclude that both sides were jointly liable.

But, to return to Tammany, for we now behold her in great power. Now, here is where Croker comes in. It was Croker who brought about Grant's nomination. Grant had some money left to him by his father, who kept a liquor store. Croker held Grant in the palm of his hand. Grant's personality was that of a mere baby, compared with Croker's. Recorded as having been in college, Grant had more opportunities of education than Croker, but he was far from being a man of mental or moral strength, although endowed with a certain degree of cunning. Croker ruled him with a rod of iron; but, after seasons of shameful subserviency, Mayor Grant, on one occasion, revolted against the Boss's mandate. Croker demanded that he appoint John J. Scannell (of whom I have spoken in a previous letter) a Fire Commissioner. Afraid that the press would flay him, as it threatened to do, if he appointed a man who

had emptied four chambers of a revolver into a fellow citizen, Grant refused—it is said, with tears in his eyes. That settled his political future. Croker had by this time safely lodged his personal friends as heads of the public Departments, or in some other positions of influence politically. Although Mayor Grant had made the appointments, none of the appointees thanked him. They thanked Croker, just exactly as all the heads of Departments of the present day thank Croker for their positions, and not Mayor Van Wyck. So Croker waited until Grant's term expired, and then retired him for his refusal to take orders. He knew Grant's weakness and incapacity, and feared him not. But he feared others who were co-operating with himself in apparent friendship, and he quietly determined to gradually clip their wings.

In the course of time, all the men of ability or ambition in Tammany Hall—Cockran, Gilroy, Martin, Clarke, Purroy and others—were sent to the rear as a precautionary measure by Boss Croker. Some of them were formally ousted. One of the most brilliant men who ever occupied the attention of the entire country was W. Bourke Cockran, while for two terms he was a Representative from this city in Congress. But in a fatal hour he assumed to think and act for himself. This, according to Croker's political ethics, was a flagrant act of hostility against the machine, which is personified in Croker, and at the following election he retired Cockran from a post where he was not only useful to his party but to the country.

But perhaps the methods which Croker adopted to keep in absolute control will be best illustrated by the way in which a witty friend of mine explained his unshaken power.

"Boss Croker," said he, "keeps in the saddle by his own cunning. He is another P. T. Barnum; for he has a big circus. Croker is now the proprietor of the Greatest Political Show on Earth. He runs it, too, and makes no

bones about telling the whole world that he is the owner of it. He controls the box office and gets all the gate money. So you see he starts in right. Whenever any of his exhibits gets too frisky, or tries to get too near the box office, he turns him out to forage on the highway. After Van Wyck's election as Mayor, what did he do with the hundreds of big appointments at his disposal? He gave them to a lot of nobodies. He took into the circus ring only the old, broken-down wheel-horses and farm stock, groomed them up, put them in fine places, fed them well — aye, on gilded oats, as it were, as did that jocose Roman Emperor who thought of making one of his horses a consul. He gave them front positions, paraded them around the ring with fine trappings on them, until they began to feel and look like the blooded stock of Arabia. What more could such fellows expect? Do you blame Croker, then, for taking charge of the box office or turning down and out all those mulish animals of the herd that began to get too gay?

"Suppose Barnum's zebra, or unicorn, or even his Circassian Lady, or Wild Man of Borneo, had claimed a right to keep tab on the receipts of the circus, and demanded a rake-off or percentage, how long would Phineas T. Barnum have tolerated such insolence? In the same way, when any of these exhibits in the Croker circus forgets the Ringmaster's whip, and begins to caper as if he were an indispensable feature, why shouldn't Dick turn him out of the show? Although the horse intended for the consulship by the Roman Emperor was as well-qualified for that position as are some of Croker's selections for heads of City Departments, they are, for this very reason, the more easily managed."

"But," said I, "a Boss who aims to be Boss of the Greatest Political Show on Earth, as you say Croker regards Tammany Hall, should have at least one or two

Royal Bengal tigers in his zoological collection, even for the sake of appearances?"

"Appearances cut no ice in this show," said my friend. "Croker wants everything safe. He takes in at least as much dust [money] this way, and there is no howling or disturbance among the animals, as there surely would be if he let in blooded Bengal tigers. Croker swore before the Mazet Committee that he was running the show for what there was in it, or words to that effect, and that he was working for his own pocket every day in the week. All of the make-believe bloods he puts to the front in the prominent stalls are only too glad of their good luck. They keep quiet and have nothing to say; for they would be feeding on nettles and thistles if Croker had not led them to the rich municipal crib. So you see," he concluded, "it's now dead easy for him to keep on top in the game."

This is all true. Mr. Croker is entirely safe, so far as any revolt in Tammany Hall is concerned. Every one of the thirty-five Assembly District leaders, in the Boroughs of Manhattan and Bronx (the City of New York, before recent annexations), with possibly a few exceptions, holds an important public office at the hands of Croker. These positions are for a term of years. Each of the leaders is the distributor of a large amount of patronage, always, however, with the approval of the Boss. There is not one of them has the ability, even if he had the courage, to inaugurate a movement against despotic dictation. Instead, they vie with each other in showing their homage and abject subserviency to their chief, in season and out of season. Inflated and pompous as most of them are among their own followers in their respective districts, where they imitate, in a circumscribed way, the arbitrary manner and conduct of the Boss-in-Chief, yet when they come into the presence of Croker they are changed men. They

bow and scrape; they look affable; they smile; they would not attempt to demand anything as a right; they would not dare to object to anything as a wrong; they whisper; they beg; they entreat. After this subjugation of their manhood, they return to their district Clubs with overbearing manners, and discourse with great nonchalance of what they said to Croker, and how they argued with him and spoke up to him, and brought him around to their way of thinking. All the while the attendant subordinate place-holders beam with delight at the recitals, and with many nods and other tokens of emphasis indicate their admiration of the courage and cleverness of their leader.

But while Croker is absolutely safe as the head of this army of sycophants, is he safe in reality?

The insolent manner in which Judge Joseph F. Daly was disposed of, in the Fall of 1898, greatly angered the thinking people of New York. A great public meeting was held to protest against this "direct attack upon the independence of the Bench." Everett P. Wheeler, a prominent lawyer, and a noted Civil Service Reformer, addressing the Bar Association, which issued the call for the public meeting, among other things, said:

"We, who are old members of the Bar, can remember when some of the Judges of the Supreme Court were dominated by Tweed and Sweeny. We, who practiced in those days, know that, if one of them had an interest in a case, it was decided not upon its merits, but by the power behind the throne. * * * When a political leader starts to drive a Judge (as he, Croker, is now trying to do) from the Bench, he will not stop there, but will proceed to demand decisions in cases. This leader frankly says—and it is a bolder thing than Tweed ever did in his palmiest days—that the man elected by Tammany Hall must abide by the dictates of Tammany Hall, and that means its leader."

A mass meeting was held at Carnegie Hall on October 21, 1898. It was a meeting like that which was held on the 4th of September, 1871 (described in a former letter) which answered Tweed's insolent question, "What are you

going to do about it?" and was the first great step toward hurling him from power. At the meeting in Carnegie Hall, ex-Mayor Abram S. Hewitt, in making the opening speech to the seven thousand citizens assembled, said:

"The most precious possession of a free people is an honest and fearless Judiciary. The immortal declaration in Magna Charta, 'that justice shall not be sold,' is the very foundation of our rights and liberties. The President or Governor cannot attempt to control the Courts without becoming liable to impeachment. What Presidents and Governors cannot do, a private citizen, holding no commission from the people, and responsible to no constituted authority, arrogates to himself, and claims the right to impose his will upon the Judges whom he has created. He is not only Judge-maker, but Judge-executioner. He thus becomes the foundation of Judicial life and death. This preposterous claim, which can only spring from the abnormal combination of intellectual aberration with colossal self-conceit, is a challenge to the community not to be disregarded without the loss of its self-respect and of its freedom."

Joseph H. Choate, now United States Ambassador to England, prevented by illness from attending the meeting, sent the following letter:

"If Mr. Croker is to have his way, and in place of Judges who have served the people well, is by his sole authority to appoint those who, he is satisfied, will show him 'proper consideration' in the discharge of their judicial functions, we are in danger of relapsing into that condition with regard to our Courts, which the late James T. Brady, of ever-honored and beloved memory, referred to, when he said that 'it was better to know the Judge than to know the Law.'"

Mr. Croker was very angry, at this time, with the Bar Association, and it was said gave orders for the formation of a new one. Some of his followers among the lawyers called a meeting of members of the Bar who were not connected with the existing Bar Association, for the purpose of organizing the new movement. Mr. Charles Strauss, a Commissioner of Education and a lawyer of capacity and character, appears to have been the prime mover in the affair. There was a good deal of talk in the public press, by Mr. Strauss, about the numbers that were willing to

join it, and the spirit that animated them, and so forth, and it took at least two weeks before Mr. Strauss discovered that every sensible man in New York was laughing at the movement. Perhaps what first enlightened him on the subject was the concluding part of Mr. Choate's letter which said:

"I cordially approve of Mr. Croker's proposition for the formation of a new Bar Association, which shall be all his own. Then all who want lawyers who know the law will know where to go, and those who are in search of advocates who know the Judge will be equally well provided."

Ex-Congressman W. Bourke Cockran delivered an eloquent and powerful argument against Boss rule, and concluded in these significant words:

"When the day of reaction comes, as come it will, when the people who have lavished favors upon the Boss will have risen in fury, charging him with crimes of which perhaps he is entirely innocent, clamoring for his blood as vehemently as they now applaud his appearance on a platform, then the Judge who grovels most abjectly before him now, in the day of his power, will be the quickest to take him by the throat in the day of his difficulty. Mighty is the downfall and swift the punishment of a man like that.

"No man is more likely to need an independent and fearless Judiciary than the man who at the moment is raised above his fellows, exercising a limitless and irresponsible power. My friends, I do not believe that the people will long submit to tyranny, and they will see to it that a despotism such as this will be crushed out."

A set of resolutions was unanimously adopted by the vast assemblage, from which the following is an extract:

"No self-respecting people can submit to a condition under which one man, assuming to speak for a party organization, shall now make the Judges dependent solely upon his will for the continuance of their offices, or dictate to them how they shall conduct their judicial functions. This is not a question of parties or factions. It rises far above all such considerations, for it touches our most sacred private interests, and directly affects the security of our homes. If a just Judge is to be punished for refusing to comply with an improper demand of a political Boss, the dignity of the Bench must be inevitably lowered, and its independence paralyzed. The worst fruits of Tweedism were Barnard and Cardozo. The ultimate fruits of Crokerism will be Judges chosen from

W. Bourke Cockran.

members of the Bar without character and without consciences; for only those willing to pledge obedience to him can be nominated."

Professor Felix Adler joined in the general indignation, and before the Ethical Culture Society let loose on Mr. Croker; and among other pungent sentences was the following:

"He thinks it right and proper that Judges, owned and elected by him, should turn money into his purse. And are we political babies to allow this self-appointed master to dictate; this man, who has publicly proclaimed and emblazoned himself as the political master of New York? Why is it that in a City like this, the tail rules the head; that the morally undeveloped rule the morally developed? It's your fault, I say; the fault of the better class."

Notwithstanding all these accusations, denunciations and predictions, which were published far and wide by the public press and in other channels, Croker defeated Judge Daly and retired him, for the present at least, into private life, while Croker, towering above all in his bad eminence, looks down with ineffable scorn upon the "disturbers" of his peace.

LETTER LIX.

EDITOR STEAD'S DASTARDLY ATTEMPT TO RECONSTRUCT CROKER —ARISTOTLE ECLIPSED BY THE BOSS PHILOSOPHER—THE ENGLISH EDITOR LAUGHS AND NO ONE HERE BLAMES HIM— CROKER ELUCIDATES CARLYLE AND PUFFS HIMSELF—UNABLE TO RECALL ONE WRONG ACT IN HIS WHOLE LIFE, "NO, NOT EVEN ONE"—THE MAZET COMMITTEE COMES TO THE RESCUE AND MAKES CROKER TALK AS WE KNOW HIM— WHAT THE BOSS OUGHT TO DO WITH THE ENGLISH EDITOR.

MY DEAR DEAN:

There was an article published about two years ago by William T. Stead, the distinguished editor of the London *Review of Reviews*, from which you and others in Europe may have formed a strange opinion of Croker. Happening to cross the ocean in the same steamer, Editor Stead interviewed "Statesman" Croker. It was an elaborate interview. It made Croker talk offhand like a philosopher, a publicist, and a grammarian. Gladstone or Salisbury could hardly have been more broad of grasp or more choice of diction. There were some extracts from this interview published at that time in certain of the New York papers, and they made many people here shake with laughter, while others, with grim irony, asked "Where did Stead get it?"

But I cannot resist quoting a few passages from this article in the London *Review of Reviews* for October, 1897, now lying on my desk, before I make a few quotations from some of Croker's more recent utterances. After a quite flattering description of the Boss's appearance, Mr. Stead's published interview proceeds:

"Mr. Croker," I said, "for nearly thirty years you have been up to the neck in the rough and tumble of New York politics. For nearly

twenty years you have been Supreme Boss of Tammany [He has been Supreme Boss only twelve years]. You are now out of politics contemplating a serene old age [Croker was then fifty-four years old] in the rural delights of your Berkshire seat. You can, therefore, speak dispassionately upon the events of your career. Looking back over the whole of these thirty years, is there any single act or deed which now, in the light of your experience, you regret having done, or that you now feel you wish you had left undone?"

The Boss paused. He removed from his lips his cigar of Brobdingnag, and half closed his eyes for a moment. Then, with calm, deliberate emphasis, he replied—

"No, Sir, not one! I do not remember ever having done anything that I ought not to have done. For I have done only good all my life."

The steamer was littered with copies of Hall Caine's novel with its vehement assertion of the impossibility of leading a Christian life in London in the nineteenth century. And here was the great Boss of Tammany Hall, after thirty years' experience of the sternest realities of the corrupt life of New York, calmly and placidly asserting that, in the whole of his long and eventful career, he had only done what was good, and was able to look back over all the incidents of his life with an approving conscience.

How proud we ought all be of Croker! But we must not stop to rejoice over that now, for we have to follow Editor Stead, who leads Croker into a profound disquisition on Tammany Hall and its relations to the New York press:

"Tammany Hall," Mr. Croker began, "is much spoken against. But unjustly. You will never understand anything about New York politics if you believe all that they [the public press] write in the papers. They are always abusing Tammany. But the real truth is just the opposite of what they say. Tammany's reputation has been sacrificed by newspaper men, whose sole desire is to increase their circulation, appealing to the itch for change and a malignant delight in the misfortunes of our fellows."

As Squeers would say, "There's richness for you." But let us not interrupt Stead:

"Do you think the world is built in exactly that way, Mr. Croker?' I asked.

"No, sir," he replied, with emphasis, "it is not built that way, but quite another way. These things I speak of are temporary; the permanent law of the world and humanity is quite different. You asked me

how it was Tammany was overthrown three years ago, and I have told you. But the issue of an election is but an incident. The law that governs has exceptions. The exception proves the rule."

"And what is the rule?" I asked, somewhat curious to know the Boss's theory of the Universe. "What is the underlying fundamental law of the Universe?"

"Sir," said Mr. Croker, speaking with quiet gravity, "the law is that although wrong-doing may endure for a season, right must in the long run come to the top. Human nature is not built so that roguery can last. Honest men must come to their own, no matter what the odds against them. There is nothing surer than that. Lying, calumny and thieving may have their day, but they will pass. Nothing can last but truth."

This is really sublime, and puts Aristotle in the shade. But Stead is not yet through, for he draws Croker out still further:

"Really, Mr. Croker," I exclaimed, "what an optimist you are! I have not found so great faith, no, not in Israel," I added, laughing.

There is not a man in New York that will blame Mr. Stead for laughing. But he ought to have laughed a good deal more as Croker proceeded:

"That's right," Mr. Croker replied. "If you put ten honest men into an assembly with ninety thieves, human nature is such that the ten honest men will Boss the ninety thieves. They must do it. It is the law of the world.

"All evil, whether lying or thieving, by its nature cannot last. [This is the fervent hope of many citizens of New York.] Honest John Kelly who was Boss before me," continued Mr. Croker, "when I first came into politics, before he was Boss, he always used to tell me that never mind the odds against you, if you are in the right. Being in the right is more than odds. Keep on hammering away and you are sure to win."

As Mr. Croker sauntered along, airing his political philosophy, I asked him if he had ever read Carlyle's Lecture on Mahomet in his book on "Hero Worship."

"No," said the Boss; "what did he say?"

"Something very much like what you have been saying now," I replied; and I quoted as best I could the familiar passage: "One current hypothesis about Mahomet, that he was a scheming impostor, a falsehood incarnate, that his religion is a mere mess of quackery and fatuity, begins really to be now untenable to any one. * * * These

theories are the product of an age of scepticism; they indicate the saddest spiritual paralysis and mere death-life of the souls of men. More godless theory, I think, was never promulgated on this earth. A false man found a religion? Why, a false man cannot build a brick house! If he did not know and follow truly the properties of bricks and mortar, burnt clay and what else he works in, it is no house that he makes, but a rubbish heap. It will not stand for twelve centuries to lodge a hundred and eighty millions, and will fall straightway. A man must conform himself to nature's law, be verily in communion with nature and the truth of things, or nature will answer him, 'No, not at all.'"

"That's right," said Richard Croker, "and Tammany proves it."

Bravo, Croker! How quickly he grasped Carlyle's meaning! After a brief pause for reflection, Croker (as reported by Mr. Stead) then delivered himself of this sage and æsthetic piece of philosophy:

"Of course in an ideal world," said Mr. Croker, "every citizen should be so dominated by patriotic or civic motives that from sheer unselfish love of his fellow men he would spend nights and days in laboring for their good."

Now to be serious. To represent Croker as giving utterance to such language, or as being even capable of comprehending its meaning, is to make him ridiculous. If there were the slightest basis upon which one might strain a point, there might be some excuse for Stead's performance. It is easy to understand how some lickspittle of a politician, who holds a place in the City government at the will of Croker, writes his "interviews" at the Democratic Club, or even how a certain sycophantic Supreme Court Judge submits to Croker, (after he exultingly shows it to two or three other smiling Judges who frequent the club to pay court to the Boss), some well written, or at least carefully written, "suggestions" as to what might be advantageously given out to the public; but it is difficult to see why a proud Englishman, or a proud man of any kind, or even a man like Stead, who may not be proud, will manufacture out of whole cloth prolonged,

scholarly and sapient utterances as emanating from Croker, and seriously publish them as such to the world. To discuss this particular subject is far from being agreeable to me. Nothing but the extraordinary attitude of Stead would induce me to do so. But it becomes necessary in the interests of correct history. Truth demands that Stead's statement be challenged, and, perhaps, more than challenged. I do not criticise Croker for his glaring defects in the rudiments of education, nor for his utter incapacity to even follow the meaning of Stead's philosophic reflections. Many great and able men have been deficient in scholarship; some have been virtually illiterate, and their lack of early schooling served but to emphasize the grandeur of their later achievements. But mark you, in less than two years after the alleged academic talks with Stead, Croker is summoned before the Mazet Legislative Committee, in the year of our Lord 1899, and questioned by its counsel, Mr. Moss. Here are a few verbatim extracts from the stenographic report of the hearing:

Q. (by Moss)—"You did not find any fault with the way I (when Police Commissioner) was doing my work?"

A. (by Croker)—"You done it good."

Q. "It was not inactiveness?"

A. "No; you went straight to the Bowery and done all you could over there."

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Q. "But you have done so about the Philadelphia Ice Company?"

A. "Oh, I told you that just because you was so anxious."

Q. "And did you not talk with persons about Devery being made Chief of Police?"

A. "I helped to make him Chief; I done all I could for him."

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Q. "Why didn't you want to have it (Judge Pryor's check for campaign assessments) drawn to the Treasurer of the organization?"

A. "I don't know—there was a lot of talk them days about Judges."

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Q. "My questions were perfectly plain: that the Air and Power Co. was meant, and you have distinctly sworn to your connection with it?"

A. "You have got the two companies mixed up, I don't belong to no Air Company at all."

It is needless to tell any intelligent human being that any person capable of using, in 1897, the language attributed to Croker in the *Review of Reviews*, could not possibly so deteriorate in a couple of years as to answer Moss in the manner recorded by the stenographer in the foregoing extracts.

What Stead's impelling purpose may have been, of course it is impossible for me to fathom or determine. That he did grossly and grotesquely misrepresent Croker, by putting such finely turned sentiments and phrases into Croker's mouth, is clear as a demonstration in Euclid. Stead ought to be punished by being made a Tammany Sachem.

You must bear in mind that Croker was off-hand, so to speak, in his chats aboard-ship with Editor Stead, while he was forearmed and on his mettle to encounter the hostile Mazet Committee. It is through no inadvertence or colloquial slips that Croker plays havoc with the rules of grammar. On the contrary, I am free to wager that, if Croker's political kingdom in New York depended on it, he could not sit down and correct the grammatical blunders in his testimony. Were his attention directed to them, he would doubtless ask, in sheer amazement: "What's the matter with them words? I don't see nothing wrong with them!"

Your Oliver Cromwell had an ugly wart on his face, but he told the painter not to conceal it in the portrait. It is now in order for artist Stead to explain why, or how, he was induced to tone down or polish away all the mental and lingual warts of New York's present Boss—the Lord Protector of Tammany.

LETTER LX.

GOSSIPY TALK WITH ALDERMAN CURLY—GRAPHIC DESCRIPTION OF BOSS CROKER'S EARLY CAREER—HIS START IN POLITICS —A PROTÉGÉ OF EX-SHERIFF O'BRIEN—FATAL BRAWL IN A MEMORABLE ELECTION CONTEST—THE ALDERMAN LAUGHS OVER THE JOKE ON LARRY DOOLEN, AND GIVES HIS IDEAS OF WHY THE BOSS FINDS IT ADVANTAGEOUS TO GO ABROAD— KILLS TWO BIRDS WITH ONE STONE AND TURNS HIS SHREWD FORESIGHT TO POLITICAL ADVANTAGE—THE MELANCHOLY STORY OF JUDGE LEDWITH—HIS TREACHERY TO HIS FOLLOWERS RECOILS UPON HIMSELF—HOW IT ADVANTAGED JUDGE BARRETT, AND THE GOOD TURN BOSS CROKER DID THE LATTER.

MY DEAR DEAN:

One afternoon in May, 1899, while taking lunch at an up-town hotel in this City, ex-Alderman Pat Curly, whom I have known for many years, came in and sat at the same table with me. The Alderman (as he is still called) possesses a natural fund of quiet humor, and although born in this city, his accent and manner become perceptibly Hibernicised when he is telling some humorous anecdote or reciting some of his early escapades in local politics. He had scarcely been seated when he said, with a quizzical look: "Did you read Dick Croker's speech in rhyme?"

"No," I said. "What is it?"

"By me soul," said the Alderman, "I cut it out of the paper this morning before breakfast, and if I showed it to one I did to fifty since then, and for why?" continued the Alderman, with emphasis. "Because it's dead right. Those Mazet people ought to take a tumble to themselves, and quit guying the public; they should go home and give us a rest, and take a long one themselves. They are trying to

find out where Dick Croker got his money. Well, it's dead certain he didn't get it out of any of that gang. He'd be a good one that could get anything out of Mazet, or Moss, or the rest of them. They put Dick on the stand, prodded him hard this time, but he was too fly for them mugs, and he broke up their little game."

It is not everyone who can understand the Alderman. I was at a loss to know, from his manner, whether he meant what he was saying or was speaking ironically; but I became convinced it was irony when he said, with a laugh: "But I near forgot Dick's last speech to the Mazet crowd before he left for Europe." Then he pulled out of his vest pocket a clipping from the New York *World*, and said, as he handed it to me, "Oh, I tell you, Dick is a great man." The clipping read as follows:

Those Mazet people make me smile,
Inquiring how we made our pile
And why we own Manhattan Isle—
Myself—and Me.

With curiosity they burn;
Just how we got it they would learn,
But that we know is our concern—
Myself—and Me.

They'd pry into our bonding scheme,
And find out how we skim the cream
Of all the business—that's no dream—
Myself—and Platt.

They're out for boodle; so are we;
And while we're Boss will always be;
On that point we won't disagree—
Myself—and Me.

They've had us on the witness rack;
Now we'll seek pleasure at the track,
And if we lose, why, we'll come back—
Myself and Me.

We came back once before dead broke,
But quickly raised the dust from folk
Whom we held up—our little joke—
Myself—and Me.

"It cannot be said that he is running away from the Mazet Committee, as he has already been examined before it, and I suppose he will be back in the Fall for the election?" I remarked, after reading the verses.

"That depends upon circumstances," said the Alderman. "If the Mazet people don't make any headway he'll be back sure; but if they uproot things, (and I don't think they will,) as the Lexow Committee did in 1874, you can gamble that Dick will remain in Europe."

"Well," said I, "when the battle is on, his place is here as leader of Tammany Hall."

"Oh, that's all right," said the Alderman; "but do you recollect what he did in 1894, and 1896, when Tammany was in a hole? In 1894, when Goff, that terrible cross-examiner, was putting the knife into everybody, Croker declared he was out of politics, and he was for that year. He was in Europe that year, too. Platt had it all his own way in that election, and Strong, a Republican, was elected Mayor. You see," continued the Alderman, "Croker reasoned this way: Ten to one, on account of all the crooked things that were exposed, Tammany would be beaten, no matter whether Croker took charge of the campaign or not; and by going hot into the campaign, Platt and his crowd would have him and his affairs torn to pieces by Goff; and so, he parleys like, and says he's through with politics for ever. Platt knew that the effect of Croker's absence in the fight would help to demoralize Tammany Hall, the same as the absence of any leader would at that critical time. You see that was a kind of position that suited both him and Croker. Believing that Tammany was going to be beaten anyhow, Dick had everything to gain in

not being bothered by the Committee then; if he made a bad showing on the witness-stand it would hurt Tammany, he being the head of it. On the other hand, it was no satisfaction to Platt at that time to bother Dick, and he gained a lot by letting up on him. So now you understand why Dick was treated so tenderly," remarked the Alderman, with a knowing wink.

"Then again," resumed the Alderman, "in 1896, when Tammany was tossed here and there over the Bryan Silver Campaign for President, he stays in Europe and keeps clear of the defeat staring the organization in the face. But there was a wise policy in all this," said the Alderman; "it gave out the impression that the organization could never get along without Croker, because every time he was away Tammany got beaten, and then, when the coast is clear, he comes back, just at the time that Tammany has a walk-over, takes command, and grabs all the credit for her coming in a winner. Now, don't tell me he isn't a clever politician! When Tammany is down Dick is away; when Tammany is up Dick is here," said he, laughing.

"Well," I said after a pause, "this is a new way to look at Croker. I always heard his intimates say that he was a born fighter, and that as boy and man he had the courage of a tiger?"

"That's all right," replied the Alderman; "he is a good fighter, but a shrewd one. He could smell danger quicker than anyone I ever knew, even when he was a young fellow. I lived in his neighborhood, and although myself and my crowd—you may call them gang if you like—were somewhat younger than Croker's gang, we took in most of the fun. As you know, in those days it was politics all the year 'round and the opposing factions kept the ball rolling all the time. Jimmy O'Brien was Sheriff and he surrounded himself with the best material for scrapping. From the first he took a great shine to Dick Croker, on account of

his licking Dickie Lynch in the prize-fight in Jones's Woods. Not only that, but Croker was very quick and strong, and man to man he'd face anybody; but if Croker saw that the other gang was stronger or might have the advantage, he could turn a corner as quick as lightning, or parley with the enemy. In making the moves he did in 1894 and 1896, he was carrying out his old tactics; but when the storm blew over, didn't he get back on Platt and soak him?"

"It is strange, after all Croker went through, that he never got into trouble but once," I observed.

"You refer to the shooting of John McKenna," said the Alderman. "Well, let me tell you that there was a great wrong done to Dick Croker in that affair. I know all about it, and Croker never fired that shot no more than you did. I don't forget that certain persons swore they saw him fire the pistol, but they knew better. Many of us believed that it was George Hickey who fired the shot, and so did Croker; and then Croker went to jail, and stood his trial, and went near being convicted on account of Judge Barrett's terrible charge to the Jury, before he would betray his friend Hickey, and that must be said to Croker's credit by every square man. You see, O'Brien was dead sore on Croker," continued the Alderman. "He brought Croker to the front and made him Alderman. After that Croker left him and took a place from Slippery Dick Connolly, that O'Brien was fighting. You know how a man like O'Brien feels against a fellow that he thought was ungrateful, and then some of his crowd were so bitter against Croker that, in order to make themselves solid with O'Brien, they would stop at nothing to finish him. Then men like Larry Delmour, Mike Daly, and others left O'Brien in disgust, and joined in with Croker. Now," continued the Alderman, earnestly, "to convince you that Dick Croker did not fire the shot, I can tell you he never carried a pistol in his life, and it was not pretended that any one handed him a pistol

during the ruction. His hands were too busy for that. When young men are together for years, it's well-known among them who carries pistols and who don't, and I can tell you Croker never carried one."

"Well, indeed, I must compliment Mr. Croker on his moderation, and on this evidence of his gentle disposition," I said, facetiously; seeing which, the Alderman broke in:

"Oh, well, that's all right; but, even if he did carry a pistol, or a piece of lead pipe, as some of the other side did, there might be good excuse for it. But did I ever tell you the joke on Larry Doolen?" asked the Alderman. "Every time I think of it, I can't help laughing," he continued, in great merriment. "You see, it was this way: Dick Croker, Doolen, Hickey and others were staunch followers of Jimmy O'Brien. O'Brien was then Sheriff, and he had a crowd behind him that were red hot. It wasn't safe to say much against O'Brien in his Ward, those days. He was very liberal to the poor, and gave away tons upon tons of coal to helpless families every Winter while he was Sheriff, and in fact after that time, before he went broke; and then if he couldn't give an office to some worthy young fellows in his crowd, do you know he'd make out a list, a private pay-roll like, and he'd pay them so much a month each, yes, as high as a hundred dollars a month to some of 'em, out of his own pocket. You see, the way the Sheriff's office was run in them days, it was easy worth to O'Brien $200,000 a year. So you can understand he had a lively gang around him, and then, with his having the poor people all praising him, it wasn't good for a man to go about beefing against O'Brien, any more than it was against Tweed himself.

"But to come back to Larry Doolen. There was a green grocer, up in Second Avenue, an Irishman named O'Neil. I said green grocer, but that isn't saying he was a green Irishman. O'Neil was a kind of a crank, ready to find

fault all round with the politicians. He used to talk so loud, calling names to O'Brien, and 'his pack of loafers,' as he used to call them, that I take my oath you'd hear him across the street. To shut his mouth, some of the gang, and I think Croker was one of them, went into his store and offered to put him on the General Committee, and that it would help him in business and other ways. He hunted them out of the store, calling them all the names he could think of. Then some of O'Brien's crowd were bent on shutting him up in another way. Larry Doolen and one of the crowd (I forget who the other was now) waited one night across the street until after O'Neil had closed his store and took his usual stroll. Thirty-sixth street, between Second and First avenue, in those days, was as dark as pitch at night, as the big yards and slaughter-houses that did business there were then closed. Whether O'Neil got wind of the job, or whether he spied Larry and the other fellow waiting across the street, I don't know; but, at any rate, when he closes his store, what do you think my laddy-buck does but slip the big sharp knife that he used to cut cheeses with into his sleeve, and rambles up the avenue. And where do you think he turns to but Thirty-sixth street, the place of all the world that the other fellows wanted! Well, they followed him along the dark street, and at last came up to him; but before they could grab him, out with his knife came O'Neil and cut a big gash across Larry's stomach, who dropped down as if he was dead, and the other took to his heels like a rabbit! Well," continued the Alderman, after he got through laughing, "Larry spent four months in hospital. He had a narrow escape, but he pulled through, and we were all glad of it, for there isn't a better fellow on earth; but for many years afterwards the boys had fun with Larry about the way he did up O'Neil and how the groceryman cut his acquaintance."

"Was there any prosecution against O'Neil for the cutting?" I inquired.

The Alderman looked at me in astonishment, and answered: "That gang never told tales out of school. But doesn't it beat all," he added, "how things come about? There is Judge Barrett, after his awful charge to the Jury, which came near hanging Croker in 1874, coming out twelve years after, and saying publicly that, from what he learned after, he knows that Croker was not guilty. Who would think, when Judge Barrett gave that charge, that twelve years after, when his term of office was expiring, Croker would be in command and have the power to say whether Judge Barrett should be sent into private life or be kept on the Bench for fourteen years more? To Croker's credit be it said that he forgave what he thought was a great injury done him by Judge Barrett, and he gave him a renomination and election. Judge Barrett then did a nice thing for Croker by coming out and telling the public that Croker was not guilty of killing John McKenna. It is a little curious that it took him all these years to say it, but such is the game of politics."

"That was a senseless fight anyhow for Croker and O'Brien to be mixed up in?" I said.

"You are right," replied the Alderman, "but, you must remember that there was very bad blood between them. Croker was told that the O'Brien gang was throwing down boxes and raising Cain in the lower part of the district. Croker, with the two Hickey brothers, Sheridan and others, went down in great fighting trim, and what made Croker angry, maybe worse than all, was when he saw one of his men, Jimmy McCartney, running away as if the very life was scared out of him. McCartney was inside one of Hewitt's election boxes (a wooden box, the shape of a sentry box) and I think it was Billy Borst, or some other one of the O'Brien crowd, put his shoulder to McCartney's box

and threw it off the sidewalk into the street; when McCartney crawled out of the box, like a rat out of a tin can, and ran away like the wind, with the divil a soul behind him; and Croker, seeing one of his men so cowardly, got up his temper, and he goes up to Borst and says: 'You get out of this district.' Borst says: 'What for?' and before another word passed Jimmy O'Brien comes up and says to Croker: 'You ungrateful cur, I picked you out of the gutter, and now you're supporting a rich man like Hewitt against me for Congress.' This was said in a loud voice by O'Brien, so as to shame Croker with the crowd, and he had it hardly out of his mouth when all hands went at it hammer and tongs. In the mix-up McKenna got shot, and you know the rest."

The unfortunate episode in which John McKenna lost his life, and for which Croker had to stand trial on the charge of murder, occurred on election day, November 3, 1874. Two factions, one headed by O'Brien, and the other by Croker, came in contact at the corner of Thirty-fourth street and Second avenue, and during the affray which occurred, John McKenna, of the O'Brien faction, was shot. O'Brien and others accused Croker on the spot of having fired the shot, which in a few hours proved fatal. Croker was immediately arrested, and at the police station to which he was taken in the first instance, the charge that he was the murderer of McKenna was reiterated. At the inquest held on the body of McKenna, Croker was discharged by the Coroner, the verdict of the Coroner's Jury being to the effect that McKenna had been shot by a person unknown. Five days later Croker was indicted by the Grand Jury of the County, and put on trial for his life. The trial was sensational. John Kelly, who was then Boss, had unshaken faith in his innocence. Day by day he sat beside Croker at the Coroner's inquest and at the trial, giving advice and lending the force of his great influence

and character to the Croker side; for there were two sides, in every sense of the word. It was regarded as unfortunate for Croker that his trial was brought before Judge George C. Barrett, who, it was well known, could not be influenced by the Tammany politicians. As already related in a preceding letter, it was this same Barrett who procured, or perhaps forced, from Judge Barnard the celebrated Foley injunction, whose far-reaching effect made the first break in the machinery of the Tweed Ring.

In the Fall of 1871 Tweed threw out his political drag-net to haul within his grasp, for the purpose of crushing him, the strongest politician of the Apollo Hall faction, of which ex-Sheriff James O'Brien was the head and front. This person was Police Justice Thomas A. Ledwith, who, as I have stated in another letter, ran against A. Oakey Hall for Mayor the preceding year, and who was so popular that, in spite of the great power of Tweed and his cohorts, he was, in the opinion of many, elected. But being elected was one thing, and obtaining the certificate of election was another; and it goes without saying that, inasmuch as Tweed wanted Hall elected, that settled all doubt upon that subject. But there was too much trouble about all this for Tweed, and for this reason he regarded Ledwith as a sort of nuisance, and determined to either capture him or blot him out, and perhaps do both. So Tweed quietly sent his agent (of course in the guise of a mutual friend) to the weak-charactered Ledwith, and offered him the nomination for Supreme Court Judge. The mutual friend pointed out to the popular but pusillanimous Ledwith that the game of politics should be played for what it is worth; that he had now within his grasp a high office, with a salary of $17,500 a year for fourteen years; that, of course, it was a foregone conclusion that, with his personal popularity, and with the power of Tammany behind him, his election was assured.

Ledwith listened to the tempter, fell as did many before him, and the "Destroying Angel" gathered him in. Tweed's convention was held, and New York was startled by the nomination for Supreme Court Judge of Thomas A. Ledwith, the white-robed idol of the opposition.

Apollo Hall, thus sold out and betrayed, was now put upon its mettle. In opposition to Ledwith, it nominated George C. Barrett. Tweed, it was said, put up Ledwith to be knocked down, and sent word along the line to slaughter him. He was slaughtered without mercy, both inside and outside of Tammany, and Barrett came forth triumphant.

As to Ledwith, he never recovered from his disgrace. From the hour of his defeat he fell a victim to drink, and down he went step by step until he walked our streets almost a tramp, without money and without friends. He died a pauper. Barrett, on the other hand, rose to distinction. He believed, and perhaps he believed correctly, that it was his own overwhelming popularity, and not public distrust of his rival, that secured his election, and he never gave the slightest token afterwards that he was thankful for his success to anybody but O'Brien, the Apollo Hall leaders and the independent citizens.

This was the man sitting as Supreme Court Judge, two years later, before whom Richard Croker, a local Tammany politician, was placed on trial for the murder of John McKenna. Many witnesses testified. Croker strenuously denied that he had fired the fatal shot. There were, on the other hand, witnesses who testified that he did fire it. There were others who swore with equal positiveness that Croker did not fire the shot. Judge Barrett, in charging the Jury, among other things, said:

"It is an undoubted fact that the very origin of the affair, the absolute commencement of it, all emanated from the prisoner himself; that is, he, in company with the two Hickeys and Sheridan, met Borst and Costello. He threatened Borst; substantially told him to get out of the district. Now, that was the origin of the affair, and I am bound to say

to you that the prisoner had no right to take any such position as to Borst. It is an undoubted fact that Borst and Costello and the two O'Briens were unarmed."

After deliberating seventeen hours, the Jury were unable to agree, and were discharged. The case was never brought up again. The general opinion to-day is that Croker did not fire the fatal shot.

LETTER LXI.

A Political Iago and his Treachery—Ties of Friendship Between Two Honorable Men Severed by a Moral Assassin—Hatching a Nefarious Plot While Enjoying the Hospitalities of His Victim—The Outcome of a Yachting Excursion—When Joseph J. O'Desdemona Was Slated for Mayor, and How Iago Turned John Othello Against Him—Secret Meeting of the Plotters—Iago's Uproarious Laughter as He Gloats over the Details of His Shameless Infamy.

My dear Dean:

There lived not many years ago in the City of New York a certain man, whom I shall name John Othello. He was of humble origin; his parents were poor, his early advantages meagre, but nature had endowed him with a clear brain, a strong physique, an indomitable will and great moral stamina. Underneath a rough exterior he had a most kind and gentle heart. Early mixing in the politics of his native City, he grew up to power and popularity. He rose to high offices, the gift of his fellow-citizens, from the honest emoluments of which he realized considerable money. By careful investments in real estate in the City which had honored and helped him, he acquired a handsome competence. But financial prosperity brought with it no fashionable dissipation, no extravagant outlays, no vulgar displays. Realizing the defects of his early education, and desiring to keep pace as best he could with the good fortune which the confidence of his fellow citizens had brought him, and so as to properly represent the great community which had honored him, he brought into his house private tutors, and,

although then advanced beyond middle age, he bravely set himself to the noble task of acquiring the education which the ill-fortunes of his early life had denied him. His tutors soon discovered that they were working on fertile soil. Within a couple of years John Othello had advanced so rapidly in scholastic acquirements that he came forth from the hands of his tutors a fairly well-educated man. Relaxing nothing of his eagerness for knowledge, he continued not only to improve his mind by extensive reading, but also acquired a fair knowledge of the French and German languages. He was then a very happy man.

But soon there came a change. One by one those near and dear to him had passed away. Not only was he afflicted by the death of a devoted wife, but all his children had died excepting one son, who grew to manhood, in whom he became wrapped up as the very idol of his soul. But, alas! he, too, was doomed by the fatal disease of consumption, and a day came when the great, big heart of this strong, rugged man was broken, and he stood in his dreary home, alone and forlorn. From that time forth, he was a changed man. Religious always, he now became a devotee. Whatever there was of roughness in his nature became subdued and mollified. His sympathies went out towards distress with the softness of a woman. He abandoned political pursuits, and went abroad. His travels through foreign countries were in that simple and unpretentious manner which best typifies our highest ideal of an American citizen.

When, after two years, he returned to his native city, he was called to the leadership of his party. He accepted that station altogether as a public duty. In the course of the political frictions and irritations incident to leadership, John Othello's early disposition after a while asserted itself, and he became self-willed and unbendingly stubborn. His great weakness as a leader, however, was his credulity

in the truthfulness and honor of some of the flatterers who surrounded his political throne.

There was a certain man among the array of John Othello's courtiers, whom I shall call Iago. This person had a great itch for public office. Iago would rather gather a few crumbs that fell from the political table than go out and give his big frame to honest toil, to make an honest dollar. As a necessary accomplishment in the art of acquiring competence without labor, Iago became greatly skilled in flattery and in pretenses to virtue and self-sacrificing friendship. It did not take long before John Othello was led to believe that this man Iago was a person of truth, virtue and loyalty.

And now I must leave John Othello and Iago for a while, and talk of another man, who was made the victim of the political tragedy which I am about to relate.

There lived at this time a rich merchant in our City, whose noble qualities and open-handed liberality in every cause of distress and misfortune made his name respected and honored far and near. A man of great probity, self-repect and dignity, and extremely amiable and affable withal, Joseph J. O'Desdemona early attracted the admiration and friendship of John Othello. This friendship and admiration were more than reciprocated by O'Desdemona, and the respect and regard in which they held each other amounted almost to affection.

And it came to pass that, early one Summer, a combination of circumstances gave to John Othello, as the leader of his party, the absolute power to select the man who would be the Chief Magistrate of the Metropolis for the then ensuing two years, and his mind and his heart went out towards Joseph J. O'Desdemona for the exalted honor. But never a word did he utter to O'Desdemona himself, but he commissioned a trusty friend to delicately question O'Desdemona and ascertain whether, even at the sacrifice

of business interests, he would accept the office were it offered to him.

In due time report was made to John Othello that O'Desdemona, with that unaffected frankness and candor which formed so charming a feature of his disposition, not only expressed his willingness to accept, but added that to be the recipient of such an honor was the highest ambition of his life. Then John Othello was greatly overjoyed. Yet no promise had been made; for wise leaders do not commit themselves before it is necessary. Nor, when the two men met, was there even a word passed between them upon the subject. John Othello was waiting, with inward glee, for the day when he would give O'Desdemona a pleasant surprise. Yet, from various evidences, O'Desdemona now believed that John Othello favored him, and, burning with a worthy ambition for the high office, he thought it prudent to ingratiate himself with the select coterie of district leaders who stood near the throne of John Othello. To accomplish this the more effectually, an invitation was extended by him to a half a score of these political princes to partake of his hospitalities on board his stately yacht, on a ten days' cruise, away from the intense heat of mid-summer. They accepted with alacrity; for, after the manner of mysteries, it leaked out among them that the trip meant a cruise with the next Mayor. And among the merry party that set sail on an August morning was Iago.

How instinctively do some natures distrust each other! O'Desdemona was known to Iago for some years, but the acquaintance was limited to casual conversations. Indeed, O'Desdemona knew Iago only as one of the subordinates of the great John Othello, and therefore never noticed him much or treated him as a person of importance. During the cruise, the intelligence, the wit, and free and easy gaiety of the majority of his guests made O'Desdemona very happy;

but, while as a host he was equally attentive and agreeable to all, there was some undefinable reserve in his relations with Iago. This was perhaps entirely the fault of Iago. We are, in reality, after all, only slightly acquainted with the men we meet, talk with, and even dine with from time to time, in our everyday lives. It is only when men are thrown closely together, for any great length of time, that they can see each other's characteristics. Good and bad qualities, generous dispositions and secret selfishness, moral beauties and moral blemishes, are all brought out and developed by the closeness of association. During these ten days, it was evident that Iago was not happy. He probably felt that he was dull and uninteresting, in comparison with the others, and that he was making but poor headway towards gaining the esteem of the man at whose hands he expected some high official position the following January. Up to the day of their return, Iago could not free himself of the depressing feeling that he was no favorite of the prospective Mayor.

Now the sequel:

Among the district leaders, in those days, was one Colonel Edward T. Sellers. The Colonel was a natural plotter, deep and tortuous. He was very practical in his notions of political ethics. He believed that a man who did not take care of himself in politics, no matter what happened to anybody else, would never have a day's luck. At this time, there was no way by which the Colonel could reach a big public office but one, and that was to be closely allied with whoever would be the next Mayor; for, although John Othello was Boss, still he never actually forced the appointment of persons who were positively objectionable to the appointing power. Now the Colonel had a brother-in-law, whose name was Francesco. Francesco was a man of prominence in the commercial world, and was what might be termed available timber for Mayor. Neither John

Othello nor any of the political princes who attended upon him knew Francesco. But the Colonel, being full of devices, bethought himself and sought out Iago, and said to him (substantially):

"Iago, you are without office; your purse is empty. Wherefore do you work so diligently for the party? Great will be the patronage of the new Mayor, to be elected this Fall, and high are the offices he will have to bestow. How you shall fare in that shuffle is a matter that concerns me much, for I hold you in high esteem, Iago."

Iago replied: "Your own purse, my dear Colonel, is as scant as mine. You are not in politics for your health, any more than I am. Where do you expect to come in?"

"Well," answered the Colonel, "if Francesco was Mayor, both you and I would be right in it."

"Who is Francesco?" inquired Iago.

"Why," said the Colonel, "is it possible that you have not heard and read of Francesco, who is so high in the commercial world, who is a business man of the first water, and, my dear Iago, what is more important than all, who is my brother-in-law."

"Is he a Democrat?" inquired Iago, always pretending to be politically conscientious.

"He is my brother-in-law, and that answers your question," proudly responded the Colonel.

Iago paused and pondered, seeing which the Colonel asked, eagerly: "But, let me ask you, Iago, who has Othello in mind for the office?"

"In confidence I will tell you," said Iago, "that the man who is now slated in his mind, although he has not yet given it out, is Joseph J. O'Desdemona."

"Horror of horrors!" exclaimed the Colonel; "what chance would men like you and I have at his hands? Business men will fill the offices; the public press will demand this. He is weak and will comply. Besides, his

lofty notions will ignore men who do all the running about as we do, and, with him Mayor, you and I will have to sit down by the running waters and weep."

"I don't know what running waters you mean, whether it's the East river, or the North river," said Iago; "but, if I can manage it, it's the business men who will do the weeping."

A conspiracy was then hatched, deep and damnable. Iago planned it. O'Desdemona's character was to be broken down. He was to be morally assassinated. Iago was to do it. With O'Desdemona out of the way, Francesco had a clear field. Then would come position and profit and plunder.

John Othello hated immorality with the intensity of the most austere churchman. Show him that a man was not correct in his moral habits, and that man could receive no high station at his hands. This Iago knew. The ten days' cruise was to be made the basis of the plot. That O'Desdemona was a generous host counted for nothing. No squeamish sentiment about hospitality, or the sacred rights that surround it, had any place in the "practical politics" of Iago.

The plot developed. Two more princes of the House of Othello were taken into the conspiracy. In case of emergency, Iago must have support. At a club house near the centre of the City, the four met, two evenings prior to the nominating convention. Iago was all prepared. He left them at eight o'clock; went to the house of John Othello, and returned before ten. He had done the deed. So deftly, so adroitly did he unfold a fabricated tale of O'Desdemona's wrong-doing, during the ten days' cruise, that the astounded Othello believed him. You might ask why did not John Othello investigate? How could he? In what way could he approach the subject? Would he not be not only doubting the veracity of the pious and virtuous Iago, but

be breaking faith with him, after he had told, in the utmost secrecy, what he pretended was painful for him to disclose, and only did so because urged by his sublime love for John Othello, who had a right to know the moral character of the man whom he was about to honor with the highest office in his gift?

When Iago returned to his three confederates, and gave the story in detail—how he had, as he jocosely expressed it, "worked the old man"—he put his hands deep in his trousers' pockets, leaned back in his chair, and laughed uproariously over his triumph. The ecstasy of the Colonel knew no bounds. He jumped to his feet and shaking Iago by both hands exclaimed: "What a clever man you are!"

Thus were the ties of friendship between two honorable men torn asunder by the infamy of this moral assassin. John Othello was saddened as if some personal calamity had overtaken him. His former friend, as pure a Christian gentleman as ever New York produced, stood in his eyes as the very embodiment of hypocrisy. O'Desdemona, unconscious of the foul stab of Iago, regarded John Othello as insincere, callous and even treacherous. And so both men lived, viewing each other with aversion to the day of their death.

Iago triumphed, prospered, and holds his head very high to-day.

LETTER LXII.

BOSS CROKER'S AUDACIOUS ADMISSIONS BEFORE THE MAZET COMMITTEE DISSECTED—EARNEST DISCUSSION BY FOUR WELL-KNOWN CLUB MEN—A CONCLAVE MORE PRACTICAL AND PERHAPS MORE POTENTIAL THAN AN "INVESTIGATING COMMITTEE"—THE JUDICIARY OF NEW YORK CITY HUMILIATED AND DEGRADED BEFORE THE WORLD BY CROKER'S STATEMENT—SMOTHERED INDIGNATION OF BENCH AND BAR AT HIS INSOLENCE—TWEED MODEST COMPARED WITH HIM—WHAT NEW YORK JUDGES SHOULD DO—EX-GOVERNOR HILL'S PERSONAL INTEGRITY AMIDST GREAT OPPORTUNITIES AND GREAT TEMPTATIONS—VICISSITUDES OF RAPID TRANSIT—A PUBLIC NECESSITY MADE A POLITICAL SHUTTLECOCK—AN OPINION WHICH WAS NO OPINION, BUT WHICH COST MILLIONS—LUCID EXPLANATION OF ITS FAR-REACHING INJURY.

MY DEAR DEAN:

On the evening of April 26, 1899, four well-known men were seated at a table at one of the fashionable Clubs in this City, and I was the fifth member of the party. That very day Richard Croker sailed for Europe and the evening papers had given considerable space to the demonstration attending his departure, which I have already described in a preceding letter. For obvious reasons I shall use fictitious names in referring to the four gentlemen whose conversations and discussions I am about to record, and the only purpose of recording them at all is to show the bent of public opinion on questions which go to the very foundation of our institutions, and which should arouse the attention and vigilance of every citizen in the metropolis.

"Let me assure you, Judge," said Mr. Joseph Cremon,

with great dignity, "that when I speak of the absurdity of to-day's demonstration, I am in no way prejudiced against Croker, but my criticism is directed to the fact that it was intended as an approval of his conduct and utterances before the Mazet Committee."

Cremon, while addressing these remarks to Judge Newcastle, evidently intended that they should not be lost on those present, for as he concluded he glanced hastily from one to the other.

Joseph Cremon is a gentleman of high character in this community, whose words are never lightly uttered. His experience of New York public life is varied and extensive. Besides, he has large interests in the City, being a man of great wealth in real estate and in stocks in various commercial and corporate enterprises. He might be epigrammatically described as a man of ability, respectability and responsibility.

James Newcastle is a Judge in this City of several years' standing, although still a young man. While he reached his present position by the aid of Tammany, he has never behaved as a sycophant to the reigning Boss.

The third of the party was Abraham Smaulhed, a lawyer about 40 years of age, who, for some unknown reason, is one of the keepers of King Croker's "conscience." He is a rapid and, it might be added, a vapid talker, who reaps, it is said, a rich harvest in references and other perquisites, the increments of political favoritism.

The fourth of those present was Edmond Farwell, a retired merchant who does little else then nurse his large real estate interests and enjoy life after the manner of a sensible and hospitable gentleman. Mr. Farwell, although ordinarily silent, is a man who, when occasion requires, can express his views with force and pungency.

Smaulhed was the first to reply to Cremon's observation, and asked, rather aggressively: "What is the matter with

Croker's utterances and conduct before the Mazet Committee? I think everybody must admit he got the best of the situation."

Cremon smiled, but said nothing just then. At length Judge Newcastle said: "I read the testimony of Croker and believe that in some particulars he was justified in not answering, but there were instances where he should have answered and waived all technicality, and that was where his boy was concerned. Here was a young man, who had scarcely attained his majority, swearing that his father gave him $19,000 to purchase an interest in a business concern and, being asked in what form he received the money from his father, he swore his father gave him a check. Of course, if this were true, the check could be easily produced, and if it were not true, the falsity of his evidence could be as easily established. The boy leaves the stand and goes home, and that same day he hurries back to the Committee and attempts to correct his testimony by swearing that he received the $19,000 from his father in cash. Now, is it not impossible to believe that a father, desiring to put his son, a mere boy, into business, would give him so large a sum of money in cash? But why in cash at all, if it were a legitimate transaction? Is not a check the usual form in which such payments are made? The mere fact of this departure from ordinary methods in itself covers the transaction with suspicion. I do not wish to be censorious where a boy's veracity under oath is concerned, but the inherent improbability of the whole story is very apparent. But, to add to the suspicion, Croker, when questioned as to this payment, positively refuses to answer on the grounds of this being 'private business.' Private business, where his own son's testimony could be relieved of a grave suspicion? Oh, no; it is plain that if the transaction were genuine, Croker would have been only too happy to answer."

"Well, suppose," said Smaulhed, "that Croker gave his son the check for $19,000, payable to bearer, and that the son went to the bank and cashed it and then took the cash and paid it into the firm, would not that account for young Croker's testimony, that he got a check from his father, and would it not be consistent also with his evidence that he paid it to the firm in cash?"

"If that is the best defence you can make," replied Judge Newcastle, "it is very unfortunate for Croker and his son; because the son swore the second time he went on the stand, not that he paid the money to the firm in cash, but that he received it from his father in cash. But waiving this altogether, let me ask you, if the transaction was as you say, why did not Croker produce from the bank the check he gave his son and end the matter? You will admit that it is difficult to believe that there was any money paid into the firm for the interest which Croker acquired?" said the Judge, looking sharply at Smaulhed. Before the latter could answer, Farwell interjected:

"Now, Judge, fair play. Mr. Smaulhed can't be a good Tammany Hall man unless he does believe it."

This, coming from the sedate Farwell, created laughter, and Smaulhed had sense enough to take advantage of the merriment to abandon an argument in which he was at so great a disadvantage.

"It was not to this unfortunate transaction I referred when I spoke of Croker's testimony," said Cremon, calmly. "It was to another subject of far greater consequence to the people of New York."

"Yes," said Judge Newcastle, "I think I know what you mean. You doubtless refer to his testimony where he states that, as leader, he is for his own pocket every day in the week."

"Why shouldn't he?" broke in Smaulhed. "If he doesn't take care of himself, who will? Isn't this what

"another subject of far greater consequence to the people of New York," and I looked at Cremon, inquisitively.

"I am a little astonished," said Cremon, "that Judge Newcastle, who states that he read Croker's testimony, should have confined his criticisms to two features of it, degrading enough for us Democrats to contemplate, and omit speaking of that part of the testimony which has startled all thoughtful men. Perhaps Judge Newcastle refrained from commenting upon it, because his own status as a Judge is somewhat involved in it. In the Tweed days, that which most agitated thinking men, and in fact all men, was the consciousness that the Judiciary of New York was subservient to the Tammany Ring. The citizens might look with a certain degree of forbearance upon other official wrong-doing, but to be cursed with corrupt or even subservient Judges, was a disgrace which could never be tolerated. Yet, after all these years, after our supposed advancement, this man Croker, wholly without shame, swears that Judges of our City are expected, because they were nominated by him, to comply with his demands in their Judicial functions, and he actually admitted on the witness-stand that he refused a nomination to Judge Joseph P. Daly because that independent and upright Judge declined to comply with his demands in the exercise of his public duties. Tweed, with all his recklessness, had too much sagacity to give utterance to such audacity. Now what is the effect of this testimony? It not only impairs the dignity, not to say any more, of the Bench in our own City and country, but throughout Europe. Suppose, Judge Newcastle, that you went to London and were introduced to an English Judge in that City as one of the New York City Judges, what respect could he entertain for you, if he believed you were a dummy Judge nominated and elected for the main purpose of serving Croker and Tammany Hall? What must lawyers every-

where think of our Judges, in the face of Croker's testimony? Yet there are Judges, notwithstanding his insult, who, even since he testified, have attended upon him, and indeed fawned upon him, at the Democratic Club, night after night. If Croker were one of the best men that ever lived, this assault upon the honor of the Judiciary should drive him at once out of the position he degrades."

"Perhaps those Judges," broke in Farwell, slily, "are looking for a renomination or something like that."

"Yes," replied Cremon, "but there are Judges who are not looking for a renomination, for they have yet a long term to serve, who pay these visits and pocket the insult they have received."

"I have heard this commented upon and I know all that you say, Mr. Cremon, is true," said Judge Newcastle, "but some of these Judges who go there do so for the purpose of aiding the Judge or Judges who are seeking renomination. You know a great friendship exists between Judges who have been long and closely associated with each other on the Bench, and they try to help each other along."

"I don't see any harm in Judges going to the Democratic Club," said Smaulhed, enthusiastically; "everybody of any account goes there, and why shouldn't Judges?"

"Because," said Cremon, "it gives corroboration to Croker's testimony that he expects compliance with his demands from every Judge he nominates."

"Well," I said, "it is lucky for Croker that I am not a Supreme Court Judge."

"What would or could you do?" asked Judge Newcastle, with a penetrating look.

"I know," I replied, "that there are many sensitive gentlemen on the Bench in this City, who if some one Judge took action, would be glad to resent the insult to the Judiciary. Now you ask me what I would do if I had the honor of occupying that exalted station? I would do

this: Write a statement of the matter to each of my brother Judges, and point out the degraded position in which Croker has placed the Judiciary; that not merely to maintain their own dignity, but what was of far greater moment and deeper significance, to preserve unsullied among the people the honor and independence of the Bench of this City, of which our Judges are the custodians, it behooves them to resent any attempt or declaration which tended to lessen the reverence of the people for Judicial authority, and to that end I would ask them to meet and make some formal pronouncement in condemnation of Croker's audacious assumption."

"Do you think," replied Judge Newcastle, "that it would be dignified for the New York Judiciary to notice every idle statement made concerning it?"

"This was not an idle statement," I answered; "it was made under the solemnity of an oath. It was made moreover by a public man who holds New York in the palm of his hand, and whose words were published in almost every quarter of the globe, tending to make again the name of the New York Judiciary, as was said of it in the days of Tweed, 'a hissing and a byword throughout the world.' Can the world do otherwise than believe his sworn statements while they remain unchallenged?"

"It seems to me," said Cremon, "although I am not a lawyer, that the members of the New York Bar should resent it, as it reflects on the tribunal before which they practice. You will recollect that it was the lawyers who inaugurated the great movement in Tweed's time to vindicate the honor and integrity of the Bench. Why should they not now take action on the insult offered to the Judiciary?"

"I am inclined to think," replied Judge Newcastle, "that the Bench, rather than the Bar, should take the initiative in this instance. In the Tweed days to which Mr. Cremon

refers, the lawyers rose up against the corrupt Judges. The situation now is quite different. There is no pretence to-day that the Judges of this City are pecuniarily corrupt, however much may be said of the political subserviency of some of them. In fact, the suggestion here is, that the Judges resent, by some formal declaration, the insult the Judiciary of this City has received by certain sworn statements of Richard Croker on the witness-stand."

"If our Judges acting in a body did this," said Farwell, "they would honor themselves and honor the people who elected them. Besides, such action would stand forth for all time as a warning to future Bosses. I would like to see it done and"—

"And that you will never see done," interrupted Smaulhed. "That you may rely upon. You must remember there are leaders of the Bench as well as of the Bar."

At this observation, Judge Newcastle looked at Smaulhed and flushed a little, but said nothing.

"You don't mean to say we have a Boss Judge?" asked Farwell.

"No, I don't mean to say that," said Smaulhed, somewhat embarrassed.

"Then what do you mean?" inquired Judge Newcastle.

"What I mean is," said Smaulhed, slowly, "that when it comes to taking steps such as suggested there are some Judges whose long experience and good judgment would advise against it, and that this would have influence with the other Judges, who perhaps might be impulsive."

At this point there was a pause in the conversation, during which each one of those present seemed to be communing with himself. Altogether, it was not an agreeable evening for Smaulhed, considering his relations to the inner circle in Democratic politics, and he was so overmastered in mental force, by at least three of his companions, that he lost the obtrusive volubility which char-

acterized his conversation at the start. More than this, he was apparently approaching a back-down from his original attitude; for he said, in a half-pleading tone:

"While I am a Tammany Hall man, I do not want it understood that I sanction wrong-doing in the management of the organization, or in anything else. I am for the honor of the Bench above everything. I think myself that Croker might have done a good deal better on the witness-stand before the Mazet Committee, and, in fact, I told him afterwards that he ought to go and correct the testimony in regard to the Judges, as it gave a bad impression as it stood, and was bound to hurt him and the organization. Now, I suggested, for instance," ran on Smaulhed, at a great pace, "that he should say to the Committee that he never asks anything from Judges relating to decisions of cases and all that, and if they occasionally did him and his friends favors, it was only a kindly act on their part for what he did for them; that neither before nor after nominations did he make a bargain with them, or with any of them, and that as far as Judge Daly was concerned, he was long enough on the Bench, 28 years, and this ought to satisfy any one man, especially when other good men, who never got anything, wanted the place."

"What did Croker say to that very wise suggestion?" Farwell asked, smiling.

"What did he say?" said Smaulhed, impulsively. "Well, I'll tell you what he said. We were standing face to face in the Democratic Club. Croker had a cigar in his mouth and both hands in his trousers pockets, and he kept looking at me while I was giving this advice, and before I had entirely finished, he turned his back abruptly and walked away."

"I'm afraid you won't get many more references," said Farwell.

Cremon and Judge Newcastle chuckled.

"Oh, well, I don't care about that," explained Smaulhed, with great rapidity. "I have now a big law practice and don't care about them; but it is not that; it is the funny way Croker took it."

"I don't think it was funny; that is not Croker's style of humor," said Farwell. "Indeed," he continued, "I am not so much concerned about your getting references, but some time ago I think you told me that you were slated by Croker for Supreme Court Judge."

"Well," said Smaulhed, "there was talk about that several months ago; but I think Judge Barrett has got in his fine work on Croker; and then, there's Whalen."

"A few moments ago," said Cremon, addressing Smaulhed, "you stated that Judge Daly was long enough on the bench, and urged that fact as a justification for Croker's retiring him. Now you say Croker favors continuing Judge Barrett, who has been 34 years on the bench, not to speak of the six years he had been District Court Judge."

"Oh, well," stammered Smaulhed, badly mixed up, "you know circumstances alter cases."

"Do you mean to imply," said Cremon, warmly, "that it would have been better for Judge Daly had he tried Croker for murder, as Judge Barrett did; but instead of Judge Barrett being accused of favoring Croker, it is said that his charge to the Jury was very severe."

"Croker was not guilty of that charge, and what is more, he was never known to even carry a pistol," said Smaulhed, with great vigor.

"No one now believes that he fired the fatal shot," answered Cremon, coolly.

This concession to Croker's goodness gave new courage to Smaulhed, who now launched forth into a panegyric of Croker, in the course of which he alleged that Croker was the greatest leader Tammany ever had; that after making men politically and putting large sums of money in their

way, he met with ingratitude from them, (giving a side glance at Cremon,) but that now he had rid himself of the deadweights, and retired several conspirators, Gilroy, Martin, Bourke Cockran, Purroy and others; and then, without any apparent provocation, he denounced David B. Hill and declared that "Croker will down him before he gets through with him."

"I have never been a great admirer of Hill," said Judge Newcastle; "but as between Hill and Croker there certainly can be no comparison. Hill has large, comprehensive views on public questions, was able to hold his own among the best of them in the United States Senate, and has shown himself qualified to grasp problems of which Croker has not even the slightest understanding."

"While I have not always agreed with Hill in his methods of party management," said Cremon, "and believe that he deserved the condemnation he received in the Maynard affair and in other matters, yet his personal integrity, in the midst of great opportunities, and perhaps great temptations, entitles him to the respect of every honest man."

"But look at his vacillating attitude in the Bryan campaign," urged Smaulhed; "when every man declared himself on one side or the other, Hill hid himself from view and skulked away from the battle."

"Now let us be fair about that," said Judge Newcastle. "Hill was in this position: he could not endorse the Chicago platform on the one hand, and on the other, as a Democratic leader, he could not openly declare war against the action of his party, in a Convention regularly called and fairly conducted, as the Chicago Convention was admitted on all sides to have been. What was he to do under such circumstances? I was and am still strongly opposed to the financial heresy of that platform, but now, looking back, after the smoke of battle has cleared away, I

think Hill's position was different from that of an ordinary Democrat. He was the Democratic leader of this great State, and doubtless felt that, as one of the cardinal principles of Democracy is the right of rule by the majority, and in the absence of any charge of fraud, or even unfairness, he could not, without absolute stultification, openly denounce the deliberate action of the Convention, or publicly repudiate its chosen candidate. Hence it was that he received William J. Bryan, the Democratic candidate, at his home in Albany. I am inclined to think, after all, considering his position as leader, that he pursued the logical course."

This commentary seemed, for a time at least, to have silenced Smaulhed, but Farwell, looking mischievously at him, asked: "Where was your friend Croker during that campaign?"

Smaulhed tossed his head and laughed, but made no answer; whereupon Farwell continued: "He was grooming his horses on the English race-track, while Hill was at home grooming the Democracy for future sweepstakes."

Then I made this observation: "In reference to Hill, I desire to say a word. A few months ago, while attending at the Court of Appeals in Albany, a condition arose where I had to employ associate counsel in a case in which I was interested, and knowing that Hill was practicing law in Albany, I went to his office to retain him. I found him occupying modest offices consisting of two rooms plainly furnished. Giving him a retainer of $100, he forthwith took my case in hand at the Court of Appeals. As matters turned out, the service he was called upon to render did not involve much professional work, but he attended to it with the same alacrity as if he had just been starting out in his profession. My object in referring to this matter is for the purpose of asking you to reflect upon these facts: That Hill had been seven years Governor of the State of New

York; that he had been six years United States Senator; that in these high public stations he was not only diligent but hardworking; that he was free from extravagance of any kind; that he had no race-horses and no retinue; but that his entire career was that of a careful, prudent and cautious man. Of the seven years in which he was Governor, there were years in any one of which, had he been corrupt, or had he made surreptitious combinations, he could have realized a million dollars. After all these thirteen years of service, as Governor and United States Senator, we find him a comparatively poor man, eking out a modest living in practicing his profession in the City of Albany. In view of the vast wealth of others, who had not the one-hundredth part of his opportunities and temptations, is not this an agreeable spectacle and object lesson for the Democrats of this State?"

"While no man should get special credit because of the fact that he is honest," said Cremon, "every Democrat ought to have a certain pride for their chosen public officer, who, amidst conditions which surrounded Hill, kept his honor above reproach. Hill was so careful that he seems to have kept himself free even from speculations of any kind while he was Governor. It was undoubtedly easy for him to make a great deal of money by a small or a nominal investment, had he only permitted himself to be used, or even to remain passive. Taking this view of Hill, he must have our respect; for," continued Cremon, "what is the use of talking of public virtue, and of setting examples to our children and the rising generation, if, in our treatment of public men, we ignore distinctions between conspicuous honesty and conspicuous rascality?"

"But Hill is cold and austere in manner, and does not treat people with the warmth necessary for a successful leader," said Smaulhed.

"If getting warm means stealing public money," chimed

in Farwell, "then may the Lord keep him cold until the day of his death."

"And then?" said Smaulhed, laughing.

"And then," responded Farwell, "let him have a warm corner in Heaven."

This restored good humor, and the conversation took a new turn to Rapid Transit, the Municipal Debt and the tying-up of City contracts.

"Nothing could be more criminal," said Cremon, "than the conduct of the present City Administration in its elastic decisions relating to the Municipal indebtedness. If the people of New York had full knowledge of the injury done them, and understood the real cause of it, they would rise up in anger just as they did at the disclosure of the Tweed Ring frauds in 1871. But fortunately for the present Administration the people do not understand it. Yet the robberies of the City Treasury by Tweed and his accomplices were not half as injurious to the public as the evils which have resulted from the action of the City authorities, in not only impairing the credit of the City and tying up unlawfully for several months necessary public improvements, but in giving a serious set-back to the project of Rapid Transit."

"Well, Mr. Cremon," said Smaulhed, "didn't the Corporation Counsel hasten to change his opinion as soon as he discovered that his first opinion was wrong?"

"It is true that he took back his first opinion," replied Cremon, "but I don't recollect that he was in great haste about it."

"Well, then, where was all the injury done that you speak of?" argued Smaulhed.

"The injury I admit is not very apparent at a superficial glance," answered Cremon, "and this is the reason why there is so little indignation on the subject; but, as I before stated, if the effect and extent of the wrong were univer-

sally understood, there would be quite a commotion in New York."

"I would like to hear the matter explained," said Farwell, "and especially by Mr. Cremon, who has had such experience in public matters."

"It would require a somewhat lengthy explanation to understand it thoroughly," said Cremon.

"I am sure it will be quite interesting to us," urged Judge Newcastle.

"The Elevated Railroad," began Cremon, "has been for years an important factor in the politics of this City. Several men of political influence were induced to buy stock in it and speculate on its rise and fall. It goes without saying, that the construction of a Rapid Transit railroad would tumble down the Elevated stock. Therefore it is clearly in the interest of the holders of this stock to defeat the project of Rapid Transit. Now, as the saying is, stick a pin there; for this is the point to be kept constantly in view. Rapid Transit agitation has been the sport and profit of politicians for many years back, as it is to-day. Some few years ago, the public were led to believe that they were going to be blessed with it at last. A public letting was advertised for the work of construction in sections. Up to the very day of the letting the public at large had confidence that an actual start on the enterprise was at hand. But the manipulators of Manhattan stock knew better—in fact, they were well aware that it was going to be a fiasco. Why? Because the conditions put into the contract and specifications were such that no contractor outside of a lunatic asylum would bid for the work. When the official auctioneer appeared at the City Hall on the day specified in the public notice there were of course no bidders, but the few persons present had a sort of a mock auction and some fun. The Elevated railroad people enjoyed the joke. Rapid Transit was given a black eye for a season. Some-

what similar juggling was gone through with more recently; but just at the time when, in spite of many obstacles, the project was at length assuming a business-like shape, and the speedy commencement of the work was in sight, the City authorities unfortunately concluded not only that the City debt limit had been reached, but that it had been unlawfully exceeded by nearly $20,000,000.

"What do you think this conclusion was founded on?" continued Cremon. "It was based chiefly upon the proposition that the millions of dollars which the City has put in the Sinking Fund do not really belong to the City at all. The legal opinion, of course, did not put it exactly in this way, but boiling down all the verbiage and sophistry and nonsense, the essence of the opinion was this: if you put money in a bank for future contingencies or emergencies, that because you did so, the money no longer belongs to you although it is not claimed that it belongs to anybody else.

"But there were other grounds upon which the City's alleged impecuniosity was based, and whether they are more profound than the one already stated, you must be the judge. By the aid of a large number of words, the proposition was sought to be established, that a man may now be actually in debt for some prospective indebtedness. Under this logic it was decided that the City's present debt was heavily increased because the Legislature provided that the City may or shall construct certain bridges, and certain great highways, and other public works, in the future, and for these purposes it shall, when the time comes, issue bonds from time to time as the money may be needed, and although it may take many years to complete the work, the City, it was held, was now already actually in debt for the whole cost of the construction.

"This is the way our City was handicapped, and this is

how it was argued that its indebtedness was nearly $20,000,000 in excess of the constitutional debt limit. It therefore followed as a consequence that it was not lawful for the City to issue any more bonds or incur any more indebtedness. Thus the bonds authorized to be issued for Rapid Transit were hung up, and once again the holders of Manhattan stock were happy.

"Now," added Cremon, "what was the effect of this profound decision outside and beyond the temporary strangling of Rapid Transit? If you reflect, you will find other grave consequences. To begin with, there was a scare as to the validity of all bonds alleged to be issued in excess of the constitutional debt limit, thus indirectly doing great injury to the City. But there was worse than this. No more bonds being issued, no further contracts for public improvements could be authorized, while the validity of many existing contracts was regarded as imperilled. And to follow the evil results still further, the Comptroller was unable to pay City contractors the instalments provided in the contracts, and these payments being one of the essentials of the agreement with the City, the contractors had no recourse but to suspend their work, while some of them threw up their contracts altogether and commenced suits for damages against the City. Nor are these the only suits against the City arising out of these complications; for all the contractors whose works were suspended during a period of four months are making preparations to sue the City for damages. The aggregate amount of all these claims will reach, I am told, over $2,000,000. Then look at the heartless cruelty of the whole affair. The payments to contractors being suspended, all their workmen had to be laid off during these several months. The small traders, the grocer, the butcher, and so forth, with whom the workingmen dealt, were also out and injured; and all this because the people's money was tied

up under the operation of glaringly absurd law opinions. Perhaps, however, the most injurious result of all was that it stopped the completion of new public schools while thousands of our children roamed the streets for want of accommodation. I have had always a high regard for Mr. Whalen, and do not believe he would willingly consent to have the Corporation Counsel's office used for unworthy purposes. But the fact remains that his opinion was so transparently erroneous that he reversed himself, but not until, as I have shown, untold financial and other injuries had been done."

Then Cremon, in conclusion, said, impressively: "Reviewing and estimating the injury done directly and indirectly to the City; in the retarding of improvements beneficial to real estate and essential to the comfort and health of the community; in the unjustifiable reflection on the fair name of the City, tending to impair its credit throughout the world; in the damages it will have to pay to City contractors; it is hardly an exaggeration to say that the public interests have been injured to the extent of $10,000,000. If you add to these injuries that of giving a set-back to Rapid Transit, you simply run into incalculable amounts."

During this recital all present listened with wrapt attention, and when Cremon finished, Judge Newcastle with emphasis, said: "This is monstrous. I never looked upon the matter in this way before. You are right, Mr. Cremon, in saying that if every citizen of New York knew the real facts, it would create, and justly so, a great uproar."

"You have not said anything about the Traction Companies?" said Farwell, looking at Cremon. "I believe there are a few politicians in that concern. Would not Rapid Transit affect that stock also?"

"I suppose it would," replied Cremon.

"Who are the fellows that got the benefit of the opinion?" asked Farwell, with an innocent air.

"I have not said that anyone was benefitted; I simply stated the facts," replied Cremon.

"Where was Mayor Van Wyck during these four months?" asked Farwell. "He was Chief Justice of the City Court for some years, and ought to have been able to see at a glance that Mr. Whalen's opinion was not sound?"

No one answered.

Then Farwell, with a half smile, gave a keen glance at Smaulhed and said: "You were very close to Croker, —barring the night he walked away from you—now, do you know whether Croker wrote any opinion on the debt limit?"

This created considerable langhter, and Farwell called for more refreshments.

LETTER LXIII.

TRICKERY AND CHICANERY OF MACHINE POLITICS—OSTENSIBLE FOES COMBINE FOR SINISTER PURPOSES—REVELATION OF AN INGENIOUS DEVICE TO UNDO A CANDIDATE FOR MAYOR—CUNNING SCHEME TO GAIN PRESS FAVOR—INFLUENCE OF CORPORATE MONOPOLIES ON MAYORALTY NOMINATIONS—HOW BOSS PLATT WAS HOODWINKED—THE JOB THAT WAS "PUT UP" ON SETH LOW—A "DESTROYING ANGEL" COMES TO THE FRONT—PHENOMENAL CANVASS AGAINST THE COMBINED MACHINES—OBJECT LESSON FOR INDEPENDENT VOTERS.

MY DEAR DEAN:

Several doctrinaires and writers on the government of cities have propounded a variety of processes whereby the rule of Rings and Bosses may be circumvented if not obliterated. In these disquisitions the process of "Direct Legislation" seems to be most urgently advanced as a cure for the disease. The proposed process embodies the following scheme for city governments:—

1. The Initiative; that is, a method by which a certain percentage of the voters may of their own accord, by signing a petition, cause a given subject to be referred for decision to the popular vote, such decision to be final without the indorsement of the Municipal Council or Mayor.

2. The Referendum; which provides for the referring of questions of popular interest to a direct vote of the people for acceptance or rejection.

3. The Recall; by which a majority of voters may recall any public official who is unfaithful to his duties.

It seems unnecessary to discuss these propositions as a remedy for the evils under which New York is groaning.

looking for new remedies is a tacit admission that sent governmental machinery, founded upon uni- suffrage, is not efficacious in grappling with the problem. So far from subscribing to any such admission, I hold, on the contrary, that a free ballot, as has been abundantly proven in numerous instances in the course of our history, is all-sufficient to accomplish the destruction of Rings and Bosses. The experiments above referred to may be tried with success in smaller communities, but it would be idle to attempt to apply them to the complications incidental to the political conditions of New York. Why? Let me explain.

The City of New York is divided into two great local political camps, which are ostensibly hostile, but for the most part and in a certain sense friendly. Each is conducted under certain rules and regulations, committees and sub-committees, which in their collective capacity constitute the Machine. In control of each Machine is a Boss, and a certain number of Deputy Bosses, of greater or less degree of power, according to the value of each as a political or financial agent of the Boss-in-Chief. These Machine Bosses, great and small, have no idea of being in politics except for the purpose of obtaining office either for themselves or their immediate followers, and getting money directly or indirectly out of the City Treasury. This has been the condition of New York from the early days of Tweed, excepting that in his time, as explained in a former letter, the direct method of public plunder was in vogue, while the approved system of modern times is the indirect method, because in the first place it is the safer, and in the next place more money can be abstracted from the pockets of the people without their noticing it. These two camps of Machine politicians—the Tammany and the Republican—make a great public noise in denouncing each other, but this is done, in most cases, with a view of throwing sand in

the people's eyes and their antagonisms at the worst are only limited. For instance: if Tammany in an approaching election sees no opposition except the Republican organization, then it talks out bravely, loudly proclaiming that it will make no compromise with the enemy, and that it requires no assistance from any outside source, but will "go it alone." Prior to the late Constitutional amendment of 1897, separating National and State from City elections, and in years when a Presidential or Gubernatorial election took place, Tammany could, as the saying is, nominate "a yellow dog" or "a wooden Indian" and elect it to any office in the City government. On such occasions Tammany would appeal to the patriotism of all Democrats, and call upon them, by all that was sacred, to stand firmly by their party, to uphold the principles of Democracy and strike down the Republican oligarchy that threatened the very existence of the Republic. Under these inspiring appeals, Tammany would nominate local officers whose character, and almost identity, were in many cases lost in the excitement and furore of the National or State elections.

If, on the other hand, a strong, independent movement had arisen, threatening to divide the Democratic vote on local issues, and possibly elect, let us say, an independent, or anti-Machine, Mayor, then it was that the Machine men of both camps joined hands, of course not on the surface, but down, down underneath, and determined that no calamity like that of an independent Mayor should upset political methods in New York. Of course the Republican Machine could not openly support a Tammany candidate, nor could it elect a candidate of its own, but it could do the next best thing; it could, by nominating a dummy candidate, so divide the opposition to Tammany, that that organization's triumph was assured.

You may ask, in amazement, why should a Republican politician prefer a Tammany Mayor to an independent

Mayor, even though that independent Mayor be a Republican?

The answer is simplicity itself: A Machine Republican believes he has far better chances of making an "honest" living under a Machine Mayor, even if it be the Tammany Machine, than he would have under an anti-Machine Mayor, even though that Mayor be a Republican.

It is true that once in a while an independent Mayor has been elected owing to popular uprisings against Machine rule, but after a season or so the reformers relaxed their energies, old methods were resumed and New York relapsed into its former lethargy.

Among the many "deals" between the political Machines in this city, that which culminated in the election of Hugh J. Grant for Mayor in 1888, was very transparent. Abram S. Hewitt, a Democrat of national reputation, had been concluding his term of Mayor, during which his independent course had given offence to Machine men generally, and to those of Tammany Hall in particular. He was looked upon for several months prior to election as the choice of all the anti-Tammany forces for re-election. Hewitt was acceptable to a large number of Republicans. But, on the other hand, what use could Machine Republicans make of him? Far better, it seemed to them, would it be to make Grant Mayor rather than Hewitt, who although he might appoint Republicans to office, would never appoint the kind of men the Republican Machine wanted. Besides, there could be no "private business" done under Hewitt's administration.

So with a great flourish of trumpets the Republicans nominated Joel B. Erhardt for Mayor, knowing full well that this action was throwing the election of Mayor and the other municipal officers to Tammany Hall.

I must stop here and tell a story illustrative of the manner in which small incidents sometimes effect great results. Oswald Ottendorfer, an able leader of the German

race in this City, the distinguished and venerable editor of the *Staats Zeitung*, and one of the foremost of our public-spirited citizens, was an admirer of Mayor Hewitt and strongly commended his independent course as Chief Magistrate of the City. But he was anxious about the re-election of Cleveland for President, and feared that the division of the Democratic forces on the Mayoralty contest would disrupt the Democratic vote on the Electoral ticket. Desiring that the Democracy should present a solid front to the enemy in New York, Mr. Ottendorfer, through the *Staats Zeitung*, urgently advised that both Democratic candidates for Mayor, Hewitt and Grant, with the approval of the County Democracy and Tammany Hall, the organizations supporting them respectively, should withdraw from the contest, and that some man who was unobjectionable to both sides be substituted as a United Democratic candidate.

Croker well knew Hewitt's disposition, and cunningly devised a scheme to use it to his own political advantage. His aim was to turn the powerful columns of the *Staats Zeitung* from its advocacy of Hewitt to condemnation of him, thereby aiding Grant, the Tammany candidate. This is how he did it: Croker had a confidential friend, who was on terms of intimacy with Hewitt, whom he sent to that gentleman to sound him on the question of withdrawal as proposed by the *Staats Zeitung*. Hewitt, who of course knew nothing of Croker's hand in the matter, became indignant at the suggestion and, as Croker expected, peremptorily refused to even entertain the proposition. Thus satisfied of Hewitt's position, Croker that very night visited Mr. Ottendorfer at his house and, with a great show of fairness and self-sacrifice, stated that in the interests of the National ticket he was willing to withdraw Grant, provided Mr. Ottendorfer would secure the withdrawal of Hewitt. This apparently generous and patriotic offer, coming from

the Tammany leader, induced Mr. Ottendorfer to form a new opinion of Croker, and he said he would immediately address himself to the duty of securing Mr. Hewitt's withdrawal, which he believed as a matter of course Hewitt would consent to. Next day when Mr. Ottendorfer's confidential go-between waited on Hewitt and presented the proposition, Hewitt not only scornfully rejected it, but intimated that he regarded it in the light of an insult as coming from Mr. Ottendorfer. In the strained relations that followed, neither gentleman knew anything of the cunning plot which had been set up for the discomfiture of both.

But to return to the "deals" and operations of both Machines.

No more glaring instance of the power of Machine men of both parties, when they have an understanding, can be given than what occurred in the election for Mayor of Greater New York in 1897.

This was the year and the occasion, above all others, most favorable for the election of an independent Mayor. The new State Constitution provided for the separation of National and State elections from City elections, and the question of the selection of Mayor was divorced from all other questions but that of the best administration for the City. Besides, the City was entering upon a new career under the consolidation which largely widened the surface of its domain and made its population three millions and a half. So the people were greatly moved by the gravity of the duty before them, in selecting a Mayor and other officers under whose auspices the City would enter on its new mission for four years. The Public Press gave voice to the popular sentiment and everything pointed to the election of an independent Mayor. Seth Low, a Republican in politics, was the popular choice, irrespective of party. He seemed to possess every qualification for the

high office—experience, energy, integrity and ability. But he was beaten at the election. How? The old, old story. The Republican Machine men did it. It mattered not that he was a Republican and that he was twice nominated by the Republicans of the City of Brooklyn for Mayor and twice victorious in that Democratic City; Machine men scowled at him and they knew why. But in addition to his being objectionable to Machine men, there was another circumstance which settled his fate as a candidate. The Citizens' Union had nominated him on the strength of the signatures of 127,000 voters who had expressed their preference for him in writing, a most extraordinary manifestation of popular strength, but its platform declared in favor of Municipal ownership of railroad franchises, the enforcement of the eight-hour labor law and other advanced measures affecting street surface railroads. This platform Low accepted and approved of "as he understood it." This was bad enough, but Low went further and declared in his letter of acceptance, dated September 13, 1897, that additional legislation should be had which "will enable the City to treat every consent to a change of motive power of street railroads as a *new franchise*," and in order to show that he meant what he said, he added: "It is utterly unreasonable that because of defective legislation, these valuable grants should be given away without compensation to the City." This utterance was his undoing. What could he expect? Here were nearly all the surface railroads in the City contemplating a change of motive power from horse or cable to electricity. They never paid a dollar of percentage of gross receipts to the City because they were organized under special grants prior to the general railroad law which provides for sales at public auction, percentages of gross receipts, and so forth. This proposition of Low was to compel compliance with those provisions, from which these corporations were up to that time exempt, and the

mere suggestion of such a thing was sufficient to give a violent shock to the Metropolitan, the Third Avenue and other street surface railroads. Even if the Mayor so elected should never be able to carry out the policy so emphatically laid down by Mr. Low, the mere advocacy of it, which railroad magnates denounced as "revolutionary," would adversely affect the stock of these enterprises to the extent of millions of dollars. No wonder railroad monopolists were excited. Edward Lauterbach, only a short time before Chairman of the Republican County Committee, and then as now Counsel for the Third Avenue Railroad, changed front upon the principle laid down by the Constitutional Convention of 1897, whereof he was one of the guiding spirits, which declares:

"We seek to separate, in large cities, municipal elections from State and National elections, to the end that the business affairs of our great municipal corporations may be managed upon their own merits, uncontrolled by National and State politics; and to the end also that the great issues of National and State politics may be determined upon their merits, free from the disturbing and often demoralizing effect of local contests."

Now in the grave concern of his clients' interests he hastened to the Republican County Committee and declared himself in favor of a straight-out Republican nomination, and with great force and eloquence urged that the administration of the City Government should be strictly under the influence of party organization, and that the principles of partisan government should "permeate it from top to bottom and extend from centre to circumference." But all this seemed to be unavailing, for Mr. Lauterbach was answered by a quotation from the platform on which Mr. Low was nominated by the Republican party for Mayor of the City of Brooklyn, and which declares:

I. Questions of National or State politics have to-day no proper place in the selection of candidates for our municipal offices, nor in the practical administration of our municipal business.

II. The successful conduct of the affairs of our City depends upon

the election to office of men of tried integrity and proved capacity, who will not use the power and patronage attached to their positions for factional or partisan ends, but manage the public business according to essentially the same methods they would employ in the honest and efficient conduct of their own private business.

The eloquence and zeal suspected to have been inspired by personal interests were for the most part lost upon those who wanted success at the polls. Low's strength was growing in spite of sinister opposition and "pulls" and railroads and all. Van Cott, the Republican Postmaster of this City, a confidential adviser of Platt, publicly favored the acceptance of Low's candidacy. It was a critical time for the street railroad corporations, and the very atmosphere seemed to be charged with danger.

A "Destroying Angel" was needed. He came in a new shape. At this juncture a great street railroad magnate, a distinguished Democrat, waited upon a potent Republican leader, or, to speak more correctly, a potent Republican deputy-leader, and represented to him the dire catastrophe that would befall the City if Low were elected Mayor, and before he got through he reasoned the deputy-leader into his way of thinking; and, lo and behold! in a day or two all the Republican district leaders of the City were "inoculated." The feeling began to run high against Low, and such is the potency of even a deputy-Boss, that many of those district leaders who the week before were whispering of Low's strength and dilating upon his virtues, now suddenly changed front, and the only man who could save them from crushing defeat in their respective Assembly districts and win most of their local offices for them, as well as all the City and County offices, including that of Mayor, was abused and denounced and almost hounded. Platt, who would have accepted Low, but who as Boss-in-chief was on too high an eminence to know what was going on beneath, was astonished at this general hostility to Low, little dreaming how it had been manufactured. Bending

before what he thought to be a genuine spontaneous opposition, he permitted Low to be set aside. It was a great, bold game. The distinguished Democrat, having made the desired impression upon the potent Republican deputy-leader, forthwith went to Europe so as to be "out of the way." Croker, who was in Europe, returned home perfectly confident of the triumph of Tammany Hall. Before starting from England he was undoubtedly convinced that Low would never get the Republican nomination or endorsement. Low had already accepted the Citizen's nomination and declared that he would remain in the field and stand for the principles of its platform, be his friends "few or many." It was therefore to Croker a clear case of a division of the enemy. He returned to New York, brushed aside Sheehan, whom he had heretofore proclaimed as Tammany's only leader, and with great ostentation took personal charge of the campaign.

The Republican Machine nominated Gen. Benjamin F. Tracy, who, to the surprise of the friends of good government, permitted himself to be used as a stalking-horse. Out of a total vote cast of 526,556, Van Wyck (Tammany) received 233,997; Low (Citizens' Union) 151,540; Tracy (Republican) 101,863; Henry George, Jr., (Labor) 21,693; while the remaining 17,000 votes were scattered among nominees of minor parties or factions. The combined vote for Low and Tracy would have sufficed to defeat the Tammany candidate.

Even as it was, had not Henry George, the idol of the Labor party, died in the midst of the canvass, he would have polled 50,000 more votes than the 21,000 that were cast for his son (who was nominated by the Labor leaders as a forlorn hope to fill the vacancy). In his first contest for the Mayoralty, in 1886, against Abram S. Hewitt, who was the United Democratic nominee, George polled upwards of 70,000 votes in Manhattan Island and

the annexed Wards above the Harlem; and in 1897 in a quadrangular struggle, he was making a vigorous and, his followers believed, a winning contest. When he died, all hope of success vanished from his followers, the mass of whom, to the number of 50,000 at least, distracted and demoralized by the sudden and tragic end of their leader, drifted into Tammany Hall, which they regarded as the regular Democratic organization.

Had Henry George lived to finish his canvass, Tammany's vote for Van Wyck would then have been 183,997 rather than 233,997, or only 32,457 more than Low polled; and it is not stretching a point to say that in the midst of the whirlwind canvass George was making at the time he was stricken down, there would have been on election day more than enough votes turned over to Low, from Democrats and Republicans who dreaded the election of Henry George, to overcome the difference required to have made Low first Mayor of Greater New York, instead of Van Wyck, who had, shortly after his inauguration, the appointment of nearly two hundred officials under the New Charter, which patronage, in the hands of a bold and independent Chief Magistrate of the City, like Low, would have sealed the doom of Bossism.

Low's strength as a popular candidate was in many respects marvellous. It furnishes an instructive and inspiring lesson to those who are striving for independence in politics. The attitude of both the Republican and Tammany factions towards each other during the campaign corroborates the accusation that the purpose of Tracy's nomination was to defeat Low. The columns of the public press and the records of the campaign show that no abuse or vilification was leveled at Tracy (the Republican candidate) from the Tammany camp, and that no word of abuse or vilification came from the Republican camp against Van Wyck (the Tammany candidate), "a fellow feeling" making them

"wondrous kind;" but by a concert of action every Tammany and every Republican orator, newspaper organ, talker, writer, and shouter denounced, day after day and night after night, the candidacy of Low and made him personally the object of vilification and abuse. Then came the secret but powerful influence of Corporate Monopoly to undermine his strength and arrest the progress of his canvass. Money was poured in like water, from the corporation magnates who dreaded the possibility of his election, to be be spent in the dark and devious ways known to electioneering experts, in order to accomplish his defeat.

Supported only by the independent Press and the independent voter, Low, without a machine, and in spite of combined attack, strode far past his Republican opponent in the race, and perhaps but for the death of Henry George, as above stated, might have also outstripped his Tammany opponent. At all events, there is a lesson, a warning, and an inspiration in Low's battle against the allied Machines.

LETTER LXIV.

CURIOUS FLUCTUATIONS IN THE FORTUNES OF BOSSISM—ITS BRIEF DEFEATS AND RAPID REVIVALS—RESPONSIBILITY FOR ITS PRESENT AUDACITY—CULPABLE NEGLECT OF DUTY BY WEALTHY AND INTELLIGENT CITIZENS—HOW TO GET RID OF POLITICAL WOLVES—EARNEST AND SUSTAINED EFFORT THE PRICE OF GOOD GOVERNMENT.

MY DEAR DEAN:

In all intellectual efforts it is not an easy task to make appropriate concluding observations. The essayist, the letter-writer, the historian, the lecturer, the orator, the preacher—all endeavor to make their closing sentences specially impressive.

Perhaps the most effective thing I can say in concluding these letters is that I have faithfully labored to present only true pictures of the characters I have discussed, and true accounts of the episodes I have related.

The moral of the work is, I believe, easily discernible. Throughout its pages it is shown, by examples, how liberty may become its own destroyer in the opportunities it affords for the growth of public abuses; how human nature may degenerate into base corruption under conditions most favorable to individual and civic virtue; how the vigilance, which is "the price of liberty," can never be relaxed without danger to the community; how success, no matter by what means, glorifies the victor, for the time being, condones the infamies of the past, and makes "statesmen" of street-corner politicians; how, when the politician rises to high power, he is almost worshipped by the people, even though his elevation has been achieved at the expense and by the degradation of the public; how a greater

number of people respect the man who makes them his slaves than the man who makes sacrifices in their interest; how the politicians dupe the people, and seem to be admired by their dupes all the more because of their dexterity in doing so; how they erect a one-man power under this government of the many; how they rise to more than royal authority and insolence in a free republic; how, almost at a spring, they acquire gigantic fortunes, spend them ostentatiously, and snap their fingers at the people whom they cajole and rob and laugh at.

Then there is presented another picture: the people aroused; their eyes opened to flagrant malefactions, they are seized with a great moral spasm; the power of the ballot is invoked; heretofore it was in use, but carelessly and indifferently; now, under the motive power of internal convulsion, the ballot is held firmly for the destruction of the culprits.

A few hours accomplish the great work. Down tumbles the political edifice as though made of sand; retributive justice pursues the malefactors and makes them felons, or refugees and outcasts. Thus justice overtook the great apostle of public plunder; the man who bought up Legislatures, Democratic and Republican—whether high-priced or low-priced, mattered not; who used Judges as men of straw and Grand Jurors as common tools; who presided over political orgies and splendid carnivals of crime, which dazzled the people, while he and his confederates rifled the treasury. Tweed—the mighty Tweed—who revelled in luxury and exercised the power of a Cæsar in the City and State, was crushed almost at one blow from a peaceful weapon in the hands of the citizen. From the blow which felled him he never recovered, dying a jail-bird, deserted and shunned by the army of sycophants and flatterers who had swarmed about him in the days of his power.

All this was a great moral lesson, but was it enduring? The answer can be found in the pages of this volume.

A new Bossism was suffered to rise from the ashes of the old, bold in its progress, arrogant in its assumption, and defiant in its autocracy. The lesson of the past was so far forgotten that even a still bolder Boss came to the surface, until political tyranny has become more rampant, and political dictatorship more offensive, than in the days when Tweed's power was torn to fragments.

Reviewing these conditions, past and present, what must be the verdict? Have the citizens of New York City discharged their duty? With the lessons of the past vividly before them, how comes it that they have allowed Rings and Bosses to flourish again? With the constitutional weapon of the ballot in their hands, what excuse can they offer for the insolent autocratic power which at present overshadows the destiny of this great metropolis? What apology can they make for the shameful and degrading domination of one man in a City of freemen? Can they pretend that it is not ignominious and injurious, or that they like it and enjoy it as a luxury? No: for no people desire to be robbed and at the same time be held up to the contempt and ridicule of the world. Can they pretend that they are unable to stop it and crush it? No: for this would be a slander on the efficacy of the ballot, and directly at variance with the teachings of history.

This City should be the focus from which would radiate the greatest intellectual and moral force of the country. With its vast wealth, its unbounded resources, its foremost place in every field of enterprise, its multitude of intelligent men and women, its great army of honest toilers, its status and dignity as the second City of the world, New York, with its nearly four millions of inhabitants, should be able to boast of a City Government that would stand out as an exemplar for all other municipalities of the country, and

typify the highest and best results of popular sovereignty for the admiration and applause of the world.

What answer, then, can its citizens make for neglecting the stewardship which the right of a free ballot imposes upon them? What is their plea of defence as the trustees of this sacred trust? Is their plea that of one from whose custody property had been abstracted, who avers that the law, in that particular case, did not compel him to be vigilant!

Men of wealth and standing there are in New York who have large interests to protect, who should love their native City for the generous opportunities it has afforded them, who should jealously guard its honor as the future home of their children and their children's children, enthusiasts in yachting and horse-racing and fashionable functions, but who have no thought for the evils which degrade and humiliate their City in the eyes of the civilized world. With them public questions affecting the municipal government are beneath their assumed dignity, and to take an active interest in matters which affect the rights, independence and financial interests of their fellow-citizens, is not only distasteful, but vulgar. Yet, on great occasions, this class of persons prates pompously of the corrupt practices and official wrong-doing which afflict New York.

And there are those, too, who give enormous sums of money in charity, and who help to build churches and eleemosynary institutions, who—God reward them!—succor the needy, the lame, the halt and the blind, but who, in their noble work, never stop to think of the evils they could uproot by giving a portion of their attention to problems which would benefit the community as a whole, lift up the people of this City from political serfdom, stop the looting of the people's treasury, lessen the burdens of taxation, and advance our City, clean-robed, in all that contributes to her greatness and to the happiness and comfort of her citizens.

And there passes along, also without heed, the great army of industry, be it of brain or muscle, each individual busy with his own personal concerns, giving scarcely a passing glance at questions which affect his most sacred rights, and looking on with indifference at the City of his birth or adoption in the possession of a band of political marauders, whose highest purpose is to secure public plunder, and whose highest education is the method by which they can safely accomplish it.

Thus, through their own culpable negligence, are the citizens of New York held in political subjugation by an irresponsible power vested in one man, who vauntingly parades his authority and scorns the rumblings of discontent.

From what has been recorded in the foregoing letters it may be readily seen that the task of uprooting, or even checking, Bossism, and all that it implies, is not one to be lightly considered and undertaken. From the history of the struggles which from time to time have taken place to oppose the power of Rings and Bosses it is a satisfaction to know, however, that the people are always ready to listen to reason—that, if properly invited to participate in movements for the benefit of the community, they are quick to respond. But to enlist their co-operation, the plan proposed must be practical; the object to be attained must be reasonable, not visionary; and, above all, the movement must be properly directed.

So many reform agitations have proven to be but instruments for elevating to office men who were foremost in them, that the public often hesitates to interest itself even in a good cause, fearing to be used for selfish ends.

Show to the public a practical plan, the advocates of which are known to be above the suspicion of selfishness,

and legions of citizens will flock to its support. Men imbued with the American spirit delight in chastising political insolence. Take any one hundred men whom you chance to run across in Broadway or any other crowded thoroughfare of our City, and, could you get them into a room, you may be sure that ninety-nine out of the hundred would agree on the proposition that no one-man power should control the public affairs of this great community; that, moreover, they would emphatically denounce the system of using political power to monopolize all business profits in dealing with the City Government, to the detriment of the public interest and to the heartless destruction of individual enterprise.

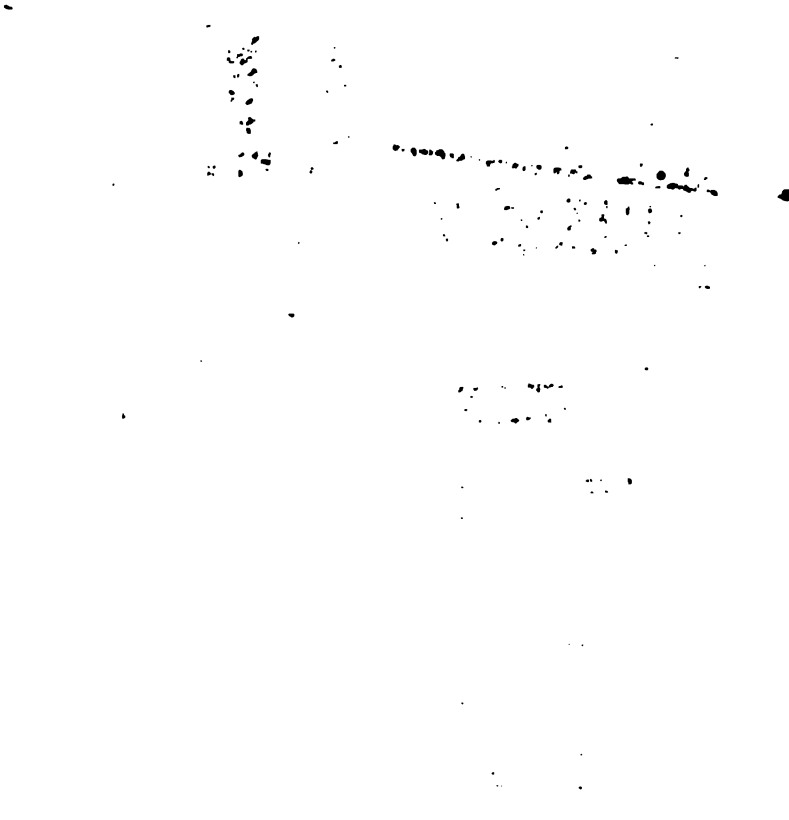
The argument which addresses itself to one hundred men will address itself to hundreds of thousands under similar circumstances. Therefore it follows that the whole case resolves itself into the question of adopting some plan whereby the people at large may be reached, their intelligence appealed to and their conscience awakened.

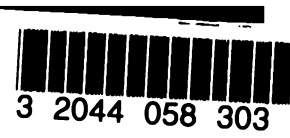
There have been plans adopted in the past which were efficacious for the time being, but they lacked permanence of purpose and were ephemeral in their results, except for a moral warning. Such was the fate of the Committee of Seventy which, after accomplishing so wonderful a work as the overthrow of Tweed and his hosts, became disintegrated by selfish office-seekers, until it dwindled away to make a mere page instead of a chapter in history. So it was with the Committee of One Hundred of the County Democracy which, when it drove Tammany from the municipal reservation, coolly settled down to enjoy the good things of life from the political table at which its adversaries had so long fattened.

None of these organizations, which were started so proudly, undertook to stand permanent guard over the public interests. They slept on their vantage ground and

the political wolves after a while made their way back to their old domain.

The problem of the hour now is, not merely to defeat the Bosses, but, having defeated them, to keep this obnoxious feature of our politics out of sight forever in this City.





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